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RELATIONS AND OBSERVATIONS,

HISTORICAL and POLITICK,

upon the PARLIAMENT

begun *Anno Dom.* 1640.

36548.

Divided into II. *Books:*

1. The Mystery of the two Junto's, *Presbyterian* and *Independent*.
2. The History of *Independency*, &c.

TOGETHER WITH

an APPENDIX, touching the Proceedings of the *Independent Faction* in *SCOTLAND*.

By CLEM. WALKER Esq.

POLIB.

Historici est, Ne quid falsi, audeat dicere:
Ne quid veri, non audeat.

HORAT.

Spe, metuque procul.

LONDON,
Printed for *R. Royston*, at the Angel in Ivie-lane. 1661.

To my dread Soveraign.

Sir,

YOU have drunk deep in the Cup of Affliction, and we have all Pledged you; it is wholsome, though bitter; but let us pray to God to remove this Cup in time, for the dregs and lees are poyſon. You have learned by over-winding the ſprings of Authority, how to tune the People of this Monarchy, without breaking their Patience hereafter. Moſt Princes deſire unlimited power, which is a Sail too great for any Veſſel of Mortality to bear; though it be never ſo well Ballaſted with Juſtice, Wiſdome, Moderation, and Piety, yet one ſtarb or other will endanger the over-ſetting it. Thoſe Commonwealths are moſt ſtable and pleaſing, where the *State is ſo mixed*, that every man (according to his degree and capacity) hath ſome *intereſt* therein to content him. *The KING, Soveraign Command and power; The Nobility and Gentry, a derivative Authority and Magiſtracy*; and *all enjoy their Laws, Liberties and Properties*. God hath curſed him that removeth the Bound-marks of his neighbour: this is a comprehenſive curſe, Kings enlarging their Prerogatives beyond their Limits, are not excepted from it. You may be pleas'd to take heed therefore of two ſorts of men, moſt likely to miſ-lead you in this point, Ambitious Lawyers, who teach the Law to ſpeak, not what the Legiſlators meant, but what you ſhall ſeem to deſire. To avoyd this ſnare, ſuffer your Parliament to nominate three men for every Judges place, out of which you may pleaſe to chooſe one, as in pricking of Sheriffs. For it is the people that are obnoxious to their wickedneſs, you are above the reach of their malice. The ſecond ſort is *Paraſitical Divines*: Theſe Earwigs are alwaies hovering in Princes Courts, hanging in their ears.

They take upon them to make Princes beholding to their violent wreſting of the Text, to beſtow upon them whatever Prerogative the Kings of *Juda* or *Iſrael* uſed or uſurped, as if the judicials of *Moſes* were appointed by God for all Commonwealths, all Kings: as a good Biſhoprick or living is fit for every Prieſt that can catch it. Theſe men having their beſt hopes of Preferment from Princes, make Divinity to be but *Organon Politicum*, an Inſtrument of Government; and harden the hearts of princes, *Pharaoh* like: Kings delight to be tickled by ſuch venerable, wartantable flattery. Sir, you have more means to prefer them than other men, therefore they apply themſelves more to you than other men do. *Tu facis hunc Dominum, te facit ille Deum.* The King makes the poor Prieſt a Lord, and rather than he will be behind with the King in courteſie, he will flatter him above the condition of a Mortal, and make him a God Royal. *Sir*, permit me to give you this Antidote againſt this poyſon; let an Act be paſt, *That all ſuch Divines, as either by Preaching, Writing, or diſcourſing, ſhall advance your Prerogative a[bo]ve the known Laws and Liberties of the Land, forfeit all his Eccleſiaſtical preferments* ipſo facto, *and be incapable ever after, and for ever baniſhed your Court.* But above all learn to truſt in your Judgment: *Plus aliis de te quàm tu tibi credere noli:* God hath enabled you to remember things paſt, to obſerve things preſent, and by comparing them together to conjecture things to come; which are the three parts of Wiſdom that will much honor and advantage you. God keep your Majeſty; ſo prayes

Your humble Subject,

THEOPH. VERAX.

To

To his Excellency Sir THOMAS FAIRFAX, *and the ARMY under his Command.*

MY Lord and Gentlemen, I have here by way of *preparation* laid open to your view, those *Vlcers* which you have undertaken to *cure*, *viz.* The 2 *Factions in Parliament*, Authors of *Schisme* and *Divisions* in the two *Houses*, from whence they are derived to the whole Kingdom, to *the obstructing of justice*, & of the *establishment* of our *Laws*, *Rights*, *Liberties* and *Peace*; *the enslaving of the Parliament* it self, and the *dilapidating of the publick Treasure*: whereby the *whole Kingdom* may be *enfranchised*, *secured*, *and united*; and *the King and his Posterity setled in his due Rights*; which is the sum of all your undertakings in your many reiterated Papers. I confesse a *Herculean* labour, and far beyond his clensing of the *Augæan* Stable; That was performed *by an arm of flesh*, this cannot be effected *without an extraordinary calling* (for *ordinary calling thereto* you have none, and [illegible] seldome blesseth a man *out of his calling*) and [illegible] *hercick heat and zeal* may go far, yet *it will tire many miles on this side the work*, *unless it be blown and inspired with divine breath*. And as *Alchimists say* of the *Philosophers Stone*, so I of this work (which is the *Philosophers Stone* in our *English Paradoxes*) *it cannot be effected but by a man of wonderful and unspotted Integrity and Innocency*, *free from all Fraud*, *self-seeking*, *and Partiality*. In order to this great work you have already begun to sift and winnow the *Must of commons*, by *charging* 11 *Presbyterian Grandees*; *who* if they be proved *guilty*, must needs have their *counterpanes equally faulty*, even to a syllable; in the opposite *Junto of Independents*, for when two *factions* shall conspire to toss & keep up the *Golden ball of Government*, *Profit* & *prefer-*

 ment

ment between them, neither can be innocent; unleſs therefore you apply your corroſive to one *Vlcer* as well as the other, you will never work a compleat cure, *nor will be free from ſcandal and appearance of faction or deſign* (that I may uſe your own words) *to weaken onely one party* (under the notion of unjuſt or oppreſſive) *that you may advance another more than your own.* Beſides, it is obſerved that you ſpeak but coldly to have *the publick accounts of the kingdom Stated*; putting it off with a wiſh only, as if you did ſecretly fear, what the Presbyterians openly ſay, *That the Independents are guilty of more Millions than thir party*: your own words are, *we could wiſh the Kingdom might both be righted & publickly ſatisfied in point of Accounts for the vaſt ſums that have been Leavied; as alſo for many other things, &c. But we are loath to preſs any thing that may lengthen diſpute.* Are ſo many Millions to be curſorily paſſed over without diſpute? were they not the blood and tears of the exhauſted people, and the milk of their Babes? are they not like *Achan's* wedge amongſt us? would it not much eaſe the people of burthens, and go far in the payment of ſouldiers and Publick debts, to have both the *Kings* and the [illegible]*liaments ſponges* (of what party and profeſſion ſoever) [illegible]queezed into the common Treaſury whenſoever the Commonwealth ſettles? Review this clauſe well, and as the Parliament hath altered ſome Votes for you, ſo do you alter this clauſe for the people, who long not only to ſee the Kingdom, but alſo our new-made Gentlemen *in ſtatu quo prius*. Gentlemen, you that will give Counſel will take it without offence, againſt him that dares lay as good claim to juſtice and honeſty as your ſelves.

Repreſentation p. 6. ſect 2.

p. 14. ſect. 7.

THEODORUS VERAX.

The Myſterie of the two Juntoes, *Presbyterian* and *Independent*, with ſome Additions.

THE Kingdom being overgrown with *Prerogative*, *Corruption* and *Superſtition*, (the fruits of a long and lazie peace) by a long diſcontinuance of Parliaments; at laſt by Providence His Majeſty was neceſſitated to call a Parliament, the onely College of Phyſitians to purge the much-diſtempered Body of the Common-wealth. 1.

In this Parliament a conteſt between the *Kings Prerogative* and *the Peoples Laws and Liberties* begat a War. The *Divines* on both ſides, out of their Pulpits, ſounding Alarum thereto; and not only *Sermons*, but *Declarations of Parliament* and *National Covenant*, holding forth to the people the defence of Religion, Laws, Liberties and properties inflamed the people to the rage of battel, as the Elephant is enraged at the ſight of Red. This War occaſioned extraordinary Taxes and Leavies of money, ſuch as were never heard of by our Anceſtors, and were *Irritamenta malorum*, the nurſe of our corruptions. 2.

This incentive working upon the humane frailty of the ſpeaking and leading Members of the Houſes, cauſed them firſt to interweave their particular intereſts and ambitions with the publick, and falſly to prefer them before the publick. 3. *Grandees.*

Wherefore the ſaid *leading men* or *Grandees* (for that is now Parliament language) firſt divided themſelves into *two factions* or *juntoes*, *Presbyterians* and *Independents*; ſeeming to look only upon the Church, but (Religion having the ſtrongeſt operation upon the ſpirit of man) involved the intereſts of the Common-wealth. 4. *Factions.*

The common people of the two Houſes following (with an implicite faith and blind obedience) the example of their leaders, divided themſelves alſo into the ſaid Dichotomy; which they did with more ſeriouſnes than their leaders, as not perceiving any ſtate deſign therein; but according to the diverſity of their judgments, or rather Fancies and Confidings (for to reſign a mans 5.

mans judgment to the opinion of another man is but a ſilly truſt and confidence) ſtudied the upholding of their parties with earneſtneſs, whileſt the *Grandees* of each party in private cloſe together for their own advancement, ſerving one anothers turn.

The *Grandees* (in all publick debates) ſeem as real in their reciprocal oppoſitions, as thoſe ſilly ones who are in earneſt, whereby they cheriſh the zeal of their reſpective parties, keep them ſtill divided (*Divide & impera* is the Devils rule) and ſo amuſe them, and take them off from looking after other intereſts, in which, were they conjoyned, they might ſhare with the *Grandees* themſelves: and for the better contentment of ſuch their Confidents, as looking too intentively after their own gain, the *Grandees* of each *Junto* confer ſomething of advantage upon thoſe that are ſubſervient unto them, as five pounds a week, or ſome petty imployment.

The ſeeds of theſe factions ſpread themſelves into the Commonwealth and Armies, as Rheum diſtils from the head into all the body.

Monopolizing profits and preferments.

Thus the leading men or Bel-weathers having *ſeemingly divided themſelves*, and having *really divided the houſes*, and captivated their reſpective parties judgment, teaching them by an implicite faith, *Jurare in verba Magiſtri*, to pin their opinions upon their ſleeves, they begin to advance their projects of Monopolizing the Profits, Preferments and Power of the Kingdome in themſelves. To which purpoſe, though the leaders of each party ſeem to maintain a hot oppoſition, yet when any profit or preferment is to be reached at, it is obſerved that a powerfull Independent eſpecially moves for a Presbyterian, or a leading Presbyterian for an Independent; and ſeldome doth one oppoſe or ſpeak againſt another in ſuch caſes, unleſſe ſomething of particular ſpleen or Competition come between, which cauſeth them to break the common Rule. By this means the *Grandees* of each faction ſeldom miſs their mark, ſince an Independent moving for a Presbyterian, his reputation carries the buſineſs clear with the Independent party; and the Presbyterians will not oppoſe a leading man of their own ſide. By this artifice the *Grandees* of each ſide ſhare the Common wealth between them; and are now become proud, domineering *Rehoboams*, even over the reſt of their

fellow

fellow members, contrary to the liberty of Parl. which consists in an equality) that were formerly fawning ambitious *Assaloms*.

There hath been lately given away to Members openly, besides innumerable and inestimable private cheats mutually connived at) at least 300000. in money, besides rich Offices, Imployments in money Committees, Sequestrations, and other advantages. And those Members who have so well served themselves, under colour of serving the publick, are, for the most part, old Canvasers of Factions, who have sate idlely and safely in the House, watching their advantages to confound businesses, and shuffle the cards to make their own game, when others that have ventured their persons abroad, labour'd in the publick work, like *Israelites* under these *Ægyptian* task-masters, and lost their estates, are left to serve untill they can find relief in that empty bag called by fools, *fides Publica*, by wise men, *fides Punica*, and are now looked upon in the House superciliously, like unwelcome guests, for it is known how malignantly, and how juglingly writs for new *Elections* were granted and executed, and called *younger brothers*, and like younger brothers they are used, their elder brothers having slipped into the World before them, and anticipated the inheritance; they have broken first into the common field, and shut the door to prevent after-commers even from gleaning after their full harvest; for the better effecting whereof, they have now morgaged, in effect, all the means they have to raise money, unto the City, and being themselves fat and full with the publick treasure, to expresse rather their scorn than care, they are making an Ordinance that no more money shall be given to their Members, and yet to shew how carefull they are of all such as have *cheated* the Commonwealth *under them*, I will not say *for them*, they have taken advantage of the Petition of the Army, wherein they desire Indempnity for all acts done in Relation to the war, and have passed an Ordinance of Indempnity for all such as have acted by *Authority*, and *for the service* of the Parliament, wherein, under great penalties, and with an appeal at last from the Judges of the Law to a committee of Parliament, such as have gone beyond the Authority given by Parl. and sequestred men unjustly, and so withheld their goods under pretence thereof, and such as have leavied Taxes three or

four times over, are quit from private actions, and the benefit of Law and Juſtice taken from the oppreſſed, to ſecure *Country Committees*, *ſequeſtrators* and others (not *Prerogative* but *Legiſlative*) *Thieves*, contrary to *Magna Charta*, which ſays *nulli negabimus, nulli differimus juſtitiam, aut rectum*; We will deny, nor defer juſtice and right to no man. Oh prodigious acts, and of greater Tyranny than any King ever durſt adventure upon. What is become of our Nationall Covenant and the Parliaments many Declarations for defence of Laws and Liberty? Or have we fought our Liberty into ſlavery? By theſe devices the *honeſt middle men* of the Houſe (whoſe Conſciences will not let them joyn in any faction to rend the Commonwealth in ſunder) are out of all poſſibility of repair, and made contemptible as well by their own wants, as the pride of the *Grandees*: and in the end, their poverty will enforce them to leave the ſole poſſeſſion of the Houſe to theſe *thriving Junto men*, who do beleaguer them therein, making them (for farther addition to their loſſes) pay all taxes, from which the thriving men go free: ſo that the poorer part of the Houſe pays tribute to the richer. Nay it is farther whiſpered, that at laſt the *Junto men* will quit the Parliament Privilege of not being ſued, purpoſely to leave theſe younger Brothers to the mercy of their creditors, and diſable them to ſit in their Houſe.

10. *Committees of the Houſes.*

Another ambitious aym of thoſe *Junto men* is, their deviſe of referring all buſineſſes of moment to *Committees*. For the active ſpeaking men by mutual agreement naming one another of every Committee (or at leaſt their confident Miniſters) do thereby *fore-ſtall and intercept* the buſineſſes of the Houſe, and under colour of examining and preparing matters, they report them to the Houſe with what gloſſes, additions, detractions, and advantages they pleaſe; whereby the Houſe (judging according to their report) oftentimes miſ-judgeth, and if it be a buſineſſe they are willing to ſmother, the Committees have infinite artificial delays, to put it off, and keep it from a hearing, or at leaſt from reporting. By this means the remaining part of the Houſe are but Cyphers to value, and Suffragans to ratifie what is forejudged by the ſaid Committees. This uſurpation of theirs is much helped by keeping the doors of their Committee-rooms ſhut, and diſpatching all affairs privately and in the dark; whereas Juſtice de-

delights in the light, and ought to be as publick as the common air, it being againſt its nature to be Chambered up and kept from the obſervation of eye, and ear-witneſſes.

And by their examining of men againſt themſelves, contrary to *Magna Charta*, they much enlarge their power.

Parts of this project we may well call the *Multiplicity of money-Committees*, as Goldſmiths-hall, Haberdaſhets-hall, the Committee of the Kings revenues, Committee of the Army, &c. Where every mans profit and power is according to his cunning and conſcience. Hereby they draw a general dependency after them, for he that commands the money, commands the men. Theſe Committee-men are ſo powerfull that they over-awe and over-power their fellow-Members, contrary to the nature of a free-Paliament; wherein the equality of the Members muſt maintain the freedom and integrity thereof, and ſuppreſſe factions. 11. *Money Committees.*

The like may be ſaid of ſuch *Members as* (in ſcorn of the *ſelf-denying Ordinance*) *hold Offices by gift or connivence* of the Parliament, either openly in their own name, or ſecretly in the name of ſome friend. Their offices inabling them to do courteſies and diſcourteſies. And although there hath been a Committee appointed to certifie all penſions, ſequeſtrations, offices, implovments of advantage and profits conferred by the Parliament upon any their Members, in which Committee Mr. *Sands* holdeth the chair; yet is this meerly a formality to blind the eys of the World and fool the expectation of ſome loſing Members, who were then reſolute to know who had already received ſatisfaction for their loſſes, and how far they had out-run their fellow-Members therein. yet this Committee is now let fall, no reports demanded of Mr. *Sands*, and when any is to be made, they are not unprovided of a means to make it fruitleſs, by putting every particular to debate; well knowing, that no man will be willing to argue againſt the particular perſons and merits of his fellow Members, and thereby heap envy upon his own head, beſides the delay of a particular debate. 12. *Membs holding Offices, &c.*

How frequently the *Country Committees* act contrary to the Laws of the Land; how they trample *Magna Charta* under their feet; how boldly and avowedly they tranſgreſſe all Orders and Ordi- 13. *Country-Committees.*

Ordinances of Parliament, and break our Solemn League and Covenant; how they ordinarily turn well-affected men out of their free holds and goods, impriſon and beat their Perſons, without any known charge, accuſer, or witneſſe againſt them; nay murther them, as in the caſe of Doctor *Rawleygh* killed in priſon at *Welles* by the Committees Marſhall; and the poor men murthered at *Brigewater*, whoſe bloods were ſhed like the blood of a dog, and no real proſecution thereof; how frequently they leavy one Tax three or four times over, and continue their leavies after the Ordinance expires; How cruelly they raiſe the twentieth and fifth part upon the well-affected, exerciſing an illegal, arbitrary, tyrannicall power over their fellow Subjects, far higher than ever *Strafford* or *Canterbury* durſt adviſe the King to; how ignorantly and unjuſtly they exerciſe a power *to hear and determine*, or rather to determine without hearing, or hear without underſtanding, *private controverſies of Meum & Tuum for debt, treſpaſſes*, nay *Title and poſſeſſion of Lands*, without either formality or knowledge of the Law, not having wit, manners, nor breeding enough, as being choſen for the greateſt part, out of the baſeſt of the People, for baſe ends, to ſatisfie men with an outſide, or Complement of juſtice: Inſomuch that nothing is now more common, than an accuſation without an accuſer, a ſentence without a Judge, and a condemnation without a hearing. How they exclude all other Magiſtracy, ingroſſing to themſelves the power of Sheriffs, Juſtices of Peace, Church-wardens, &c. in an Arbitrary way; keeping Troops of Horſe, upon pay and free-quarter for their guards, like the 30 Tyrants of *Athens*, and if any man but ſpeak of calling them to give an account, they preſently vote him a Delinquent, and Sequeſter him. If any man, I ſay, be ſo deaf as not to hear the loud univerſal out-crying of the People, ſo great a ſtranger in our Iſrael as not to know theſe truths, let him peruſe M. *Edward Kings* diſcovery of the arbitrary actions of the Committee of *Lincoln*, and the heads of Grievances of *Glamorganſhire*, printed 1647. where he may ſee theſe things briefly Epitomized; but to Hiſtorize them at large would require a volume as big as the Book of *Martyrs*. Theſe Committees are excellent ſponges to ſuck money from the people, and to ſerve not only their own, but alſo the Covetous, Malicious

licious, Ambitious ends of those that raked them out of the dung-hill for that imployment, and do defend them in their oppressions; who is so blind as not to see these men have their protectors, the *Demons* to whom they offer up part of their rapins, to whom they sacrifice

Occulta spolia, & plures de pace Triumphos.

If there be any intention to restore our Laws and Liberties, and free us from arbitrary Government, it is fit these Committees and all associations be laid down, having no enemy to associate against, and that the old form of Government by Sheriffs, Justices of the Peace, &c. be re-established, and the Militia in each County setled as before in Lieutenants, and deputy Lieutenants, or in Commissioners.

The rather, because the people are now generally of opinion, They may as easily find Charity in Hell, as Justice in any Committee, and that the King hath taken down one Star-chamber, and the Parliament hath set up a hundred.

Nor is it a small artifice to raise money by so many several and confused Taxes. Whereas one or two ways orderly used and well husbanded, would have done the work. 1. Royall Subsidie of 300000 l. 2. Pole money. 3. The free Loans ond Contributions upon the Publick Faith amounted to a vast incredible sum in money, Plate, Horse, Arms, &c. 4. The Irish adventure for sale of Lands the first and second time. 5. The Weekly meal. 6. The City Loan after the rate of 50 Subsidies. 7. The Assesment for bringing in the Scots. 8. The five & twentieth part. 9. The Weekly Assesment for my Lord Generals Army. 10. The Weekly (or monethly) Assesment for Sir *Thomas Fairfax* Army. 11. The Weekly Assesment for the Scotch Army. 12. The Weekly Assesment for the British Army in *Ireland*. 13. The Weekly Assesment for my Lo. of *Manchesters* Army. 14. Free-Quarter (at least) connived at by the State, because the Souldiers having for a time subsistence that way, are the less craving for their pay; whereby their Arrears growing stale, will at last either be frustrated by a tedious Committee of Accounts, or forgotten; in the mean time, the Grand Committee of Accounts account it out of the Commanders Arrears, whereby the State gives it. 15. The Kings Revenue. 16. Sequestrations and Plunder

14. *Taxes.*

der by Committees, which if well anſwered to the State, would have carried on the work, which thus I demonſtrate; One halfe of all the goods and Chattels, and (at leaſt) one half of the Lands, Rents, and Revenues of the Kingdome have been ſequeſtred. And who can imagine that one half of the profits and Goods of the Land will not maintain any Forces that can be kept and fed in *England*, for the defence thereof? 17. Exciſe upon all things; this alone if well managed would maintain the War; the Low-Countries make it almoſt the only ſupport. 18. Fortification-money, &c. By theſe ſeveral ways and Taxes, about forty *Millions* in money and money worth have been milked from the people; and the Parliament (as the Pope did once) may call *England*, *Puteum inexhauſtum*; yet it is almoſt drawn dry. A vaſt Treaſure, and ſo exceſſive, as nothing but a long peace could import; and nothing but much fraud and many follies could diſſipate, and we ought not to wonder if it be accounted *inter arcana noviſſimi imperii*, to be always making yet never finiſhing an account thereof.

15. *Accounts.* And as they have artificially confounded the accounts by laying on multiplicity of Taxes; ſo (for the ſame reaſon) they let the money run in ſo many muddy, obſcure chanels, through ſo many Committees and Officers fingers, both for collecting, receiving, iſſuing and paying it forth, that it is impoſſible to make or ballance any Publick account thereof; and at leaſt one half thereof is known to be devoured by Committees and Officers, and thoſe that for lucre protect them. By theſe means, as they make many men partners with them in the publick ſpoyls, ſo they much ſtrengthen and increaſe their party, wherby *multitudo peccantium tollit pœnam.*

Accounts again. If theſe things were not purpoſely done, 1 Our Taxes would be fewer in number, and more in effect. 2. They would be put to run in one chanel, under the fingering of fewer Harpies, a perſpicuous and true Entries made of all receipts and diſburſments, which would be publick to common view and examination. The Exchequer way of accounts is the exacteſt, and enteſt, and beſt known way of account of *England*, and most free from deceit, which is almoſt confeſſed *de facto*, when make the Kings Revenue more obnoxious to their deſires, th

took it out of the Exchequer way, (contrary to the fundamental Laws of the Land; for both the Higher and Lower-Exchequer are as antient and fundamental as any Court in *England*) and put it under a Committee, which as all other Committees do, will render an account of their Stewardſhip at the latter day. In the mean time divers of that Committee buy in old ſleeping Penſions, which they pay themſelves from the firſt of their arreares; yet other men that have diſburſed money out of their purſes for the Kings Service, can receive no pay for any mony laid forth before *Michaelmas* Term, 1643. becauſe (forſooth) then the Committee firſt took charge of the Revenue. In the mean time the Kings Tenants and Debtors are deprived of the benefit of the Laws and Liberties of the ſubject, which before they enjoyed; all Debts and Moneys being now raiſed by the terrour of Purſuivants and Meſſengers, whoſe Commiſſions are only to diſtrain and levy, &c. whereas formerly the Exchequer ſent out legal Proceſſe, and the Tenant or Debtor had liberty to plead to it in his own defence, if he thought himſelf wronged; but now New Lords, new Laws; and to countenance their doings, the Committee have gotten an addition of ſome Lords to them. 3. If there were fair play above board, ſo many members of both Houſes would not be ambitious of the trouble and clamour that attends Task maſters, Publicans, and ſuch ſinners as ſit at the receipt of Cuſtome, being no part of the buſineſſe for which the Writ Summons or the people chooſe or truſt them, and whereby they are diverted from the buſineſſe of the Houſe: but would leave that imployment to other men, who not having the character and priviledge of Parliament upon them, will be leſſe able to protect themſelves & their agents from giving publick accounts of their receipts and diſburſements, and from putting affronts and delays upon the Committee of Accompts, (as it it well known) ſome of them have done. Laſtly, it is ſcandalous that the ſame men ſhould be continued ſo long in their money-imployments, becauſe *Diuturnitas & ſolitudo corrumpunt Imperia*; & by long continuance & experience they grow ſo hardned, ſo cunning in their way, and ſo backed with dependencies, that it is almoſt impoſſible to trace them. And although (when we look upon the many perſons imployed) we cannot ſay there is *ſolitudo perſonarum*;

yet

yet when we conſider that by a long partnerſhip in their imployments they are allyed together in one common intereſt, they are to be eſteemed but as one man, for a Corporation of men is but many men joined together as one man, and with one mind purſuing one and the ſame end or intereſt.

16. *Committee of Accounts.*

And though they have a general Committee of Accompts, yet they were nominated by thoſe Members that ought to give Accompts, and it muſt needs be ſuſpitious for an Accomptant to chooſe thoſe perſons before whom he ſhall accompt. And we ſee (after ſo long a time of their ſitting) no fruit thereof. Whereas the people did hope, that after ſo much money ſpent, and ſuch great debts and arrears left to pay, (whereby they are threatned with continuance of their Taxes,) that a full and axact general account of all Receipts and disburſments would have been publiſhed in Print, for their ſatisfaction, as is uſually done in the Low-Countries, and as was once done by this Parliament, *Anno* 1641. by a Declaration of the accompts of the Kingdom.

But it may be the Synod in favour of the *Grandees*, have voted that place in Scripture (*Render an account of thy Stewardſhip*) to be but Apocryphal.

17. *Wants of the Parleament, and how occaſioned.*

By theſe exorbitant courſes, though they have drayned 40. Millions from the people, yet (as *Philip* of *Macedon* was ſaid to be *Inter quotidianas rapinas ſemper inops*) they are faln to ſuch ridiculous want and beggery, that they have lately pawned almoſt all the ſecurity they have, for 200000l. to disband the Army, and enter upon the Iriſh imployment. They have ſlit Goldſmiths-Hall in ſunder, and given one ſide thereof to the City, and kept the other half thereof to themſelves, and that already charged with 200000l. at leaſt. So that if any ſudden occaſion happen, they have put their purſe into the hands of the uncircumciſed Jews of the City, and cannot raiſe one peny but by new Taxes upon the people. It was worth obſerving to ſee how officiouſly ſome of the old Stagers took leave of the publick purſe, before it came into Huckſters hands. Alderman *Pennington* had a debt of 3000l. he owed to Sir *John Pennington* forgiven him, (he never asked forgiveneſs of his ſins more heartily) and 3000l. more given him out of Goldſmiths-Hall in courſe; the reaſon of this bounty was forked or two-fold.

I. Be-

1. Becauſe he hath got enough before.

2. To comfort his heart, for being left out of the City Militia.

But the moſt obſervable thing was, to ſee this old Parliament like a young Prodigal, take up money upon difficult terms, and intangle all that they had for a ſecurity.

1. They gave way to the City to hedg in an old debt, being a loan of money after the rate of 50. Subſidies, and other old debts.

2. Whereas 200000l. only was the ſum to be borrowed, the City enjoyned them to take up 230000l. whereof the od 30000l. to be beſtowed for relief of decayed occupiers of the City; ſo that upon the matter the Parliament pays 30000l. Broakage.

3. That the City may not truſt the greateſt unthrifts of Chriſtendome, with laying out of their own money; they put upon them 2. Treaſurers of the City, to receive and diſburſe it for the ſervice for which it was borrowed; ſo you ſee they have now neither credit, money, nor a purſe to put it in.

So that the *modeſt Members*, who have been more forward to help their Country then themſelves, are left in the lurch for their loſſes, and expoſed to the laughter of their elder brothers, the old *Junto men*, and factious leaders of the Houſe, all being now morgaged to the *Lombards* of the City. The thriving Members hope their younger brothers will continue as modeſt, as they have been, and digeſt all with patience; but others, and tho'e neither fools nor knaves, hope all the *modeſt and middle men* of the Houſes, ſuch as are ingaged in no faction, will be provôked hereby to draw into a third party or *Junto*, to moderate the exceſſes of the other 2. when any thing prejudicial to the Common wealth is agitated; and to call the old *Junto* men, thoſe land Pyrats to account, making them caſt up what they have ſwallowed, and bring it to a common *divident*, or rather to pay the Army and Publick debts, whereby the people may be eaſed of their preſſures; nor let them be diſcouraged with the ſuppoſed difficulty hereof, ſince 20. or 30. men holding together, and obſerving the croſs debates, and different ſway of each party, may eaſily make themſelves moderators of their differences, and turn the ſcales for the beſt advantage of the common, which way they pleaſe to caſt in their Votes, ſince it is very rare to have any queſtion carried by more then eight or ten voices.

18. *Modeſt and middle members.*

19. *Grandees proviſion to ſave themſelves.*

Moſt of theſe *Grandees* are reported to have, for *their retreat*, houſes in the Low-Countries, richly furniſhed with Sequeſtred

Plate,

Plate, Linnen, and Stuff, and great ſtore of money in bank for their ſhelter, againſt ſuch ſtormes as their Rapine, Tyranny, and ignorance may happily raiſe here amongſt us. In thoſe their retirements, theſe authors of our miſeries will injoy their ſins, and our ſpoyls in ſecurity, attending an opportunity to purchaſe their peace at laſt and betray our Safeties and Liberties to the inraged Prince and People. This is called robbing of the Ægyptians; and doubtleſſe theſe ambitious State-Mountebanks have brought us into darkneſs worſe then Egyptian. The text ſaith, the Egyptians roſe not from their places in three days; they yet knew where they were, which is more then we do, every man being out of his place and rank; the Servant in place of his Maſter, the Begger in place of the King, the Fool in place of the Counſellour, the Thief in place of the Judge, the cheater in place of the Treaſurer, the Clown in place of the Gentleman, none but God alone can play *Dædalus* part, and give us a Clue to lead us out of this labyrinth, into which theſe unpolitick *Hocas Pocaſſes* have brought us. Theſe unskilfull workmen that have built up *Babel*, and pulled down *Sion*. Others are ſaid to prepare Forein Plantations for Retreat; to People which, Children are raviſhed from their parents Arms, and ſhipped away; an abomination not known in *England* before, and therefore no competent Law made againſt it; no more then in ancient *Rome* againſt Paricides.

20. *Grandees their ſeveral intereſts and deſigns and ſtrengths.*

By what hath been already ſaid, you ſee what the *ſeveral*, and what the *conjoyned intereſts* of theſe two *Junto's* or *Factions*, *Preſbyterian* and *Independent* are; let us now conſider where *their ſeveral ſtrength* lies. The *Independent* groundeth his ſtrength upon the *Army*, which if he can keep up, he hopes to give the Law to all; and to produce that great Chymæra, *Liberty of Conſcience*: not conſidering that the confuſion and licentiouſneſſe of ſuch a liberty will deſtroy it ſelf, *Libertas Libertate perit*. The *Preſbyterians* have three *Pillars* to ſupport them. 1. The *City* is their chief foundation, with which they keep a ſtrict correſpondency, and daily communication of Counſels. Upon this conſideration, they have lately put the Parliament Purſe into the Cities Pocket as aforeſaid, ſetled and inlarged the City Militia. Whereas all the Counties of *England* (being more obnoxious to injuries then the City) ſuffer much for want of ſetling their Militia; the Parliament not truſting them with arms, ſo much as for their own defence: An evident ſign, there is, a farther deſign then

diſ-

disbanding this army. And becauſe the City Militia can ōnely keep in awe the adjacent South and Eaſt Counties of the Kingdom; therefore to ſuppreſs the remoter parts, and inforce them to obedience, they keep up ſome *in-land Garriſons*, and have the Scots and G. *Poyntz ſupernumerary forces for the North*, and in *the Weſt* (under colour for ſending men for *Ireland*) they keep upon free quarter and pay of the Country, *many ſupernumerary Regiments* and Troops, moſt Cavaliers, at leaſt five times as many as they really intend to tranſport. * Theſe are always going, but never gone, like St. *George*, always in his ſaddle, never on his way. Something ever is and ſhall be wanting untill Sir *Thomas Fairfax's* army be disbanded; and then (it is thought) the diſguiſe will fall off; and theſe ſupernumeraries ſhall appear a new modelled Army, under Presbyterian Commanders you may be ſure, & ſuch whoſe Conſciences ſhall not befool their wits where any matter of gain appeareth; if this be not their aym, why did they not disband *thoſe lewd ſupernumeraries* before laſt Winter, *ſince they might have raiſed as many men the ſpring following* for half the charge their very free quarters coſt? and moſt of theſe ſwear they wil not go for *Ireland*, vowing they wil cut the throats of the Round-heads.

The Country is amazed, fearing theſe Cavaliers are kept on free quarter by a Cavaleeriſh party for ſome Cavaleeriſh deſign. Secondly, why did they not rather divide Sir *Thomas Fairfax* Army into two parts, one to go for *Ireland*, the other to ſtay in *England*, being already modelled, excellently diſciplined, and having the viſible marks of Gods favour upon their actions? But to take a few for *Ireland*, a few for *England*, and leave a Coar in the middle to be plucked forth and disbanded, was the way to diſcontent them, and put them into mutiny, and thereby neceſſitate the Parliament to diſband them all, and give an opportunity to them that ſeek it, to new modell another army out of the aforeſaid Supernumeraries, more pliable to the deſires of the Presbyterian *Junto*: adde herennto the cauſeleſs exaſperating ſpeeches and aſperſions caſt upon moſt of the Army purpoſely, as moderate men think, to diſcontent them. Thirdly, if they have no intent to keep up an Army againſt the People, why have they continued the military charge for another year, and inlarged it from 520000 l. to 600000 l. a moneth? 21.

Thus the City, *In-land Garriſons*, and *Supernumerary forces new* *Presbyters.*

modelled are like to prove the three-stringed whip, wherewith the Presbyterian *Poaetons* will drive the triumphant Chariot if they prevail; to which may be added the Presbyters themselves, who by overawing mens Consciences with their Doctrine, will subdue and work mens minds like wax to receive any impression of bondage that tyranny and oppression can set before them, as they do in *Scotland*, the Clergy in all times and places have ever held with the mighty, as the Jaccal hunts stil with the Lion to partake of his prey; The Clergy have ever had an itch to be medling with State affairs, which shews how contemptible an opinion they have of their own Coat, that they can find no contentment in it; yet they would have the Laity to have a reverend opinion of it; the Popish Clergy draw all Civil Affairs, publick and private, under their jurisdiction and cognisance, *quatenus* there is *peccatum* in all humane actions; the Presbyterians *quatenus* there is *scandalum* in all human actions, what is the odds? *Peccatum* is the mother, *Scandalum* the Daughter, and both pretend they do this *in ordine ad Deum*; but universall experience teacheth us, how miserable that Commonwealth is, where the corruption of a Church-man proves the generation of a States-man.

The premises considered, I shall propound these ensuing *Quæries* to those that are of better judgement than my self.

22. *Quæres upon the premisses.*

1. *Quære*, Why the title and punishment of malignants is translated from the Cavaliers, who fought for regal Tyranny against the Parliament, and laid upon those that fought against regal Tyranny for the Parliament, is it not because those Cavaliers that have fought for one Tyranny, wil not be scrupulous to fight for another? and such wel-affected as have opposed Tyranny in one kind, wil not admit of it in another? why is it now accounted a note of Malignity and disaffection to endeavor the putting down of arbitrary Government, and re-establishing our Laws, Liberties & Properties, whereto the Parliament by their many Declarations & their National Covenant are bound? lay this to heart, & consider whether they have not changed these their first Principles, & consequently whether they are not desirous to change their old friends who resolurely adhere to the said Principles.

2. If the King grant the Propositions, or if he deny them, and the *Predominant Junto* (or both *Junto's* joyned together) to drive on one Common interest? for it is now thought they are upon an accommodation to keep up that lower *Conjunction*, which

which they deſpair to uphold *diviſim*) eſtabliſh the military and civil power without him, according to their deſires, and in order to their ayms; *Quære*, whether the ſaid leading men ſetled in their poſture, with their confident guards about them, may not draw after them ſo many of their party as upon an implicite faith will follow them, and lick up the crums of the publick ſpoiles under their tables, expelling or diſabling (as aforeſaid) the diſingaged Members, and by this policy make themſelves perpetuall Dictators, incorporating and ingroſſing to themſelxes both the Conſultive, Directive, & Miniſterial power of the Kingdom in all cauſes Civil and Military, ſetting up an *Oligarchy* or popular Tyranny inſtead of a Regal, as the thirty Tyrants of *Athens* did. In order whereto, they already declare, 1. That an Ordinance of Parliament, without the Kings royal aſſent, is equall to an Act of Parliament. 2. That an Ordinance is above a Law by vertue of their legiſlative power: upon which preſuming in their Ordinance of Indempnity, they have granted an appeal from the Judges of the Law to a Committee of Parliament; ſee the Ordinance *May* 21. 1647. 3. That they are the irrevocable Truſtees of the peoples Lives, Liberties and Properties, without account, with other *principles preparative to Tyranny*.

3. *Quære*, Why Arbitrary and Barbarous Government by Committees and other illegal proceedings (which in time of war were uſed upon real or pretended neceſſity, and were then only excuſable, becauſe *neceſſitas tollit Legem*) are ſtill continued upon us now in time of peace, no enemies troubling our quiet; and without any further pretence of neceſſity, contrary to their National Covenant, and all their Declarations? is it not to inure the peo[illegible]le to ſervitude, and exerciſe their patience?

4. *Quære*, Whether the prodigious oppreſſions of Committees, Sequeſtrators, &c. and of Free-quarter, be not purpoſely countenanced to neceſſitate the peo[illegible]le to riſe in tu[illegible]ults, that thence occaſion may be taken to keep In-land Garriſons and ar[illegible]ies?

5. *Quære*, Whether our Laws, Liberties and Pro[illegible]erties, are not now as liable to an invaſion from the *Legiſlative power*, as formerly from the *Prerogative*? conſidering that thoſe who like ambitious *Abſalom* courted and wooed the people in the beginning of trouble, now like haughty *Rehoboams* care not though the people complain, their little finger is heavier than the loyns of the King, the controverſie between the 2 *Juntoes* being no more than whoſe ſlaves we ſhall be.

6. *Quære*

6. *Quære*, Whether if the King hereafter tread in the ſteps of this Parliament, & their Committees, he will not be a greater tyrant than either the Turk, Ruſſe, or French, and have as abſolute dominion over his Subjects, as the Devil hath over damned ſouls in Hell? and how dangerous theſe preſidents may be to thoſe Laws and Liberties which we have ſworn to maintain.

23. *Middle and moderate Members again.*

If the *middle and diſingaged men* in the Houſe, do not ſpeedily unite themſelves into a party or *Junto*, as the factious have done, & communicate their counſels, they will be *arena ſine calce*, looſe and diſſipated by every breath: and neither ſerviceable for themſelves nor their Country. Whereas if they unite, twenty or thirty may become Moderators and Umpeers between both parties, (as hath been already ſaid;) let the moderate men but conſider how ſad and diſhonourable a thing it is, to ſee nothing almoſt of great and publick concernment come into the Houſe, but what hath been *before hand contrived, debated, and digeſted* in one or both of the two *Junto's* at their private meetings, and put into ſo reſolved and prejudicate a way and method of diſpatch, that every man is appointed his part or Cue before-hand; one man to move it, and ſet it on foot, another to ſecond him; one man ſpeak to one part of the Argument, another to another part; another to keep himſelf to the laſt for a reſerve, and ſpeak to the queſtion, which he is provided to qualifie with a diſtinction, or vary it, if he find it difficult to paſs. Thus all publick buſineſſes are meaſured by private reſpects; whereby it appears, that as *frequent Parl.* are good *Phyſick*, ſo continual Parl. are *bad food*; and the people may complain, that *qui medicè vivit, miſere vivit*. Parliaments are *Bona peritura*; they cannot keep long without corruption. Their perpetuity emboldens the members, by taken from them all fear of being called to account, eſpecially if they get their ſons into the Houſes as well as themſelves (as many have done this Parliament, and more endeavour to do) whereby they have an eſtate in their places for two or three lives. Moreover by long ſitting they become ſo familiar with one anothers perſons and deſigns, as to ſerve one anothers turns, to joyn intereſts, and to draw into factions, *Hodie mihi, cras tibi*. If you and your party will help me to day, I and my friends will help you to morrow.

24. *Concluſion with ſome complaints.*

Miſerima Reſp. ubi majeſtas Imperii, & ſalus populi diſcordibus conflictantur ſtudiis. What ſhall we ſay?

En quo diſcordia terras—perduxit miſeros?

Shall

Shall we complain to God? God hath a controverſie with us. Of whom ſhall we complain? Of our ſelves? we muſt firſt reform our ſelves: We that take upon us to reform Church and Common-wealth; Shall we complain of our ſinnes? Ask the grace of repentance firſt, and ſo ask that we may obtain. Shall we complain of our puniſhments? Let us firſt repent, and amend our ſins that cauſed them. Let us firſt pluck off the mask of hypocriſie, God will ſee thorough ſuch a fantaſtical garment of Fig-leaves. Let us no longer make Religion a ſtalking-horſe; God, who is all Wiſdome and all Truth, will not be deceived. If we talk like Chriſtians, and walk like Turks, Chriſt will not own us. To faſt for a day, and hang our heads like bulruſhes, will not reconcile us. We muſt faſt from publique ſpoyls, rapines, and oppreſſion, and not drink the tears of the poor and needy. Shall we complain with the Prophets; That our Princes are become Theeves? that was heretofore our complaint, now we muſt invert it, and cry, That our Theeves (mean and baſe people) are become *Princes*. *We are ſick, very ſick, intemperately ſick*, and God hath given us a Phyſitian in his wrath, a Leper as white as snow, fitter to infect, then cure us. What Phyſick doth he prescribe? Poyſon. What dyet? Stones inſtead of bread, Scorpions inſtead of fiſhes, hard fare for them that formerly fed ſo daintily. Before I conclude, let me give you the pedigree of our Miſeries, and of their Remedies. A long Peace begat Plenty, Plenty begat pride, and her Siſter Riot, Pride begat Ambition, Ambition begat Faction, Faction begat Civil War: And (if our evils be not curable, if we be not fallen *in id temporis quo nec vitia noſtra, nec eorum remedia ferre poſſumus*) our War will beget Poverty, Poverty Humility, Humility Peace again, *Sic rerum revertentibus vicibus annulus vertitur Politicus*. The declining ſpoak of the wheel will riſe again. But we are not yet ſufficiently humbled, we have not repented with *Ninivy*. We wear Silks and Velvets, inſtead of ſackcloath and Aſhes (even the meaneſt up-ſtart hath his theſts writ upon his back by his Taylor in proud Characters of Gold Lace) we have not watered our Couch with our tears, but with an adulterous ſweat. Look to it therefore ye are *Incubi*, that by an inceſtuous copulation have begot Plenty upon War, and filled your houſes with the ſpoyl and plunder of your dear Country; an inundation of blood, and of the tears of the oppreſſed, will waſh away the foundation of your houſes:

And

far from you in this world, but especially that peace which the world cannot give: And because *Salamander-like* you delight in the fire of Contention, an unquenchable fire will be your lot hereafter. And though you escape all accounts here, yet upon the great day of account when you shall receive your sentence of condemnation, those your Children for whose preferment you sell your Souls, your God for gold, shall not shew so much thankfulness or pity towards you, as to say, alas our Father! But your hearts are hardned with *Pharaoh*, I leave you therefore to *Pharaohs* destiny, to be drowned in your own Red-sea, as he was in his.

25. *Resolution & scope of the Author.*

Thus far I adventured to vindicate our Religion, Laws, and Liberties with my pen; in discharge of my Conscience, and pursuance of our Nationall Covenant, which obligeth us to defend them against whosoever to our power, neither knowing nor caring whether in so wicked an age (wherein vice is honoured, and vertue contemned) I may be thought worthy of punishment for being more righteous then my superiors. I know an honest man is wondred at like a monster, and the innocency of his life and conversation suspected as a Libel against the State, yet if I perish I perish; *& pereundum in licitis:* nor am I less provided of a safe retreat then our *Grandees*, my grave is open for me, and one foot in it already. *Contempsit omnes ille qui mortem prius.* He that contemns Death, scorns both Hope and Fear; which are the only affections that make Knaves, Fools & Cowards of all the world. The world is a goodly Theater, we are the actors, *God is Poet* and chief spectator; we must not choose our own parts, that *is at* Gods appointment; one man he appoints to play the King, another the Begger; one a Comick, another a Tragick part; whatsoever part God hath appointed for me in this remainder of my life, I will have a care to personate it ingenuously and aptly, nor doubting but my *Exit* shall be accompanied with an applause into my Tyring-room, my Tombe; nor will I refuse the meanest part that may draw a plaudit from so excellent a spectator, but will prepare my self for the worst of evils in this worst of times, and pray to God to Reform our Reformers. *Amen.*

THE END.

THE

HISTORY

OF

INDEPENDENCY,

WITH

The Riſe, Growth, and Practices of that powerfull and reſtleſſe FACTION.

D. AMBROSIUS.

Nec nobis ignominioſum eſt pati quad paſſus eſt Chriſtus, nec vobis glorioſum eſt facere quod fecit Judas.

TACIT.

Scelera, ſcelerius, tuenda.

VIRGILIUS.

——*ſua cuique Deus fit dira libido.*

1 St. JOHN, c. 2. v. 16.

Quicquid eſt in mundo eſt concupiſcentia oculorum, concupiſcentia carnis, aut ſuperbia vitæ.

LONDON,

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Reader,

Gentle or ungentle, I write to all, *knowing that all have now got almoſt an equall ſhare and intereſt in this Gallimaufry or Hotchpot which our Grandee Pſeudo-Politicians with their negative and demoliſhing Councils have made, both of Church and Commonwealth, and therefore I write in* a mixed ſtile, *in which* (*I dare ſay*) *there are ſome things fit to hold the* judgments of the Graveſt; *ſome things fit to* catch the fancies of the Lighteſt; *and ſome things of a* middle nature, *applying my ſelf to* all capacities, (*as far as truth will permit*) *becauſe I foreſee the* Cataſtrophe *of this* Tragedy *is more likely to be conſummated by* multitude of hands, *then* wiſdome of heads. *I have been a curious obſerver, and diligent inquirer, after, not only the* Actions, *but the* Counſels *of theſe times; and I here preſent the reſult of my indeavours to thee:* In a time of miſ-apprehenſions *it is good to avoid miſtakings, and therefore I adviſe thee not to apply what I ſay* to the Parliament or Army in generall, *if any phraſe that hath dropped from my pen in haſte* (*for this is a work of haſt*) *ſeem to look aſquint upon them: No, it is the* Grandees, *the* Junto-men, *the* Hocas-Pocaſſes, *the* ſtate-Mountebanks, *with their* Zanyes *and* Jack-puddings, Committee-men, Sequeſtrators, Treaſurers, *and* Agita-

tors *unaer them, that are here hiſtorified: were the* Parliament (*the major part whereof is in bondage to the minor part and their Janiſaries*) *and the* Army *freed from theſe uſurping and engaged* Grandees, *who betrayed the Honour and Priviledges of Parliament & the Army to their own luſts, both would ſtand right, and be ſerviceable to the ſetling of a* firm laſting Peace under the King, *upon our* firſt Principles, Religion, Laws, and Liberties, *which are now ſo far laid by, that whoſoever will not joyn with the* Grandees, *in ſubverting them, is termed a* Malignant, *as heretofore he that would not adhere* to the Parliament *in ſupporting them was accounted; ſo that the* definition *of a* Malignant *is turned the wrong ſide outward. The body of the Parliament and Army (in the midſt of theſe diſtempers) is yet healthy, ſound, ſerviceable; my endeavour is therefore to play the part of a friendly Phyſitian, and preſerve the body by purging peccant humors: Were the Army under commanders and officers of better Principles, who had not defiled their fingers with* publick monies, *their conſciences by* complying *with, and* cheating all intereſts, (King, Parliament, People, City, *and* Scots) *for their own private ends, I ſhould think that they carried the Sword of the Lord, and of* Gideon; *but clean contrary to the Image preſented to* Nebuchadnezzar *in a dream, the head and upper parts of this aggregate body are part of Clay, part of Iron, the lower parts of better metall: I cannot reforme, I can but admoniſh; God muſt be both the* Æſculapius *and* Prometheus, *and amend all, and though we receive never ſo many* denials, *never ſo many* repulſes *from him, let us take heed how we vote (even in the private corners of our hearts) no* Addreſſes, *no* Applications *to Him. Let us take heed of multiplying ſins againſt God, leſt he permit our* Schiſmaticall Grandees to multiply Armies and forces *upon us, to war againſt Heaven as well as againſt our Religion, Laws, Liber-*

ties

ies, and Properties upon earth, and keep us and our eſtates un-
er the perpetual bondage of the Sword, which hath been ſeve-
l ways attemped in the Houſes theſe 2. laſt weeks, both for
raiſing & keeping of a new Army of 30000. or 40000.
nen in the ſeven Northern Aſſociate Counties, upon
ſtabliſhed pay (beſides this Army in the South) and *alſo*
or the raiſing of men in each County of England, *and all*
o be engroſſed into the hands of his Excellency, and ſuch
ommanders and Officers as he ſhall ſet over them; and this
ork may chance be carried on by the Grandees *of* Derby-
ouſe *and the Army, if not prevented; for the General (not-*
ithſtanding this power was denied him in the Houſe of Com-
ons) hath ſent warrants into moſt Counties to raiſe Horſe and
oot; yea, to that baſeneſſe *of Slavery hath our Generall and*
rmy, with their under-Tyrants the Grandees, *brought us,*
hat although themſelves did heretofore ſet the raſcality *of the*
ingdom on work in great multitudes (eſpecially the Schiſma-
call party) *to clamour upon the Parliament with* ſcandalous
etitions, *and make peremptory demands to the Houſes, de-*
ructive to the Religion, Laws, Liberties, *and* Properties
f the Land, *and the very* foundation of Parliaments;
which they extorted what anſwers they pleaſed, and got a ge-
rall vote, That it was the undoubted right of the Sub-
ct to Petition, and afterwards to acquieſce in the wiſe-
ome and juſtice of the two Houſes: *Yet when upon 16. of*
ay 1648. *the whole County of* Surry *(in effect) came in ſo*
vil a poſture to deliver a petition to the houſe, that they were
rmed for the moſt part but with ſticks, in which Petition
ere is nothing contained which the Parliament is not
ound to make good *by their many* Declarations and Re-
ionſtrances *to the people, or by the* Oathes of Allegiance,
upremacy, *or* National Covenant, *or by the* known Laws
f this Land. *Yet were they,* 1. *Abuſed by the Souldiers of*

White-

White-hall *as they paſſed by, where ſome of them were pulled in and beaten. 2. When thoſe Gentlemen of quality that carried the Petition came to* Weſtminſter-hall, *they found a Guard of Souldiers at the door, uncivilly oppoſing their entrance to make their addreſſes to the Houſe. 3. When they preſſed into the Hall, and got up to the Commons door, they were there reviled by the Guard. 4. The Multitude which ſtood in the new* Palace, *(becauſe ſome of them did but whoop as others did, who were purpoſely ſet on work (as is conceived) to mix with them & diſorder them) were ſuddenly ſurrounded with a ſtrong party of horſe from the* Mews, *and ſome more Companies of Foot from* White hall, *who by the appointment of the Committee of Schiſmaticks at* Derby-houſe *were ready prepared for this deſign, and catched them (as it were) in a Toyle, and with barbarous and ſchiſmatical rage fell upon theſe naked unarmed Petitioners. ſlew and wounded many without diſtinction, telling them,* They were appointed to give an anſwer to their Petition, and they ſhould have no other; (*as indeed they had not*) *though the Lieut. Colonel that did all the miſchief, was called into the Houſe of Commons, & had publick thanks given him at the Bar, took many of them Priſoners, & Plundred their Pockets, Cloakes, Hats, Swords, Horſes, and ſome of them (even Gentlemen of as good quality as their General) were ſtripped of their doubles: thoſe Gentlemen of quality who were in the* Lobby *before the Commons door, civilly expecting an anſwer, were abuſed, and violently driven out by the Guard, to take their fortune among the Rabble; what* Tyrants *ever in the World* refuſed to hear the Petitions *and* grievances *of their people before? The moſt Tyrannical government of the world is that of* Ruſſia, *and* Jo. Vaſilowich *was the greateſt Tyrant of that Nation, yet ſhall this Tyrant riſe up in judgement at the latter day againſt theſe Monſters. Behold what entertainment your Petitioners ſhall have hereafter, if publick*

Peace

It is reported by ſome that Sir *H. Mildmay*, Col. *Purefoy* & the Speaker (doubting the Hou. would give too good an anſwer to their Petition) ſent for theſe Horſe and Foot.

Peace be the end of their deſires: yet many Petitions ready drawn are ſent up and down in moſt Counties by Committee-men, and Sequeſtrators, to enforce men to give thanks for the four votes againſt the King; *and many Petitions from Schiſmaticks, deſtructive to Religion, Laws, Liberties, and Property, have been obtruded upon the Houſes, and received encouragement and thanks, becauſe they tend to* ſubvert the fundamentall Government *of* Church *and* Common-wealth, *and caſt all into the* Chaos of confuſion, *whereby the* Grandees may have occaſion to keep up this Army, *and perpetuate their Tyranny and our burdens. And from theſe Tumults of their own raiſing, the grandees pretend a neceſſity to keep this Army about this Town, to watch advantages againſt it.* Cromwell *having often ſaid,* This Town muſt be brought to more abſolute obedience, or laid in the duſt; *in order to which,* the Souldiers are now diſarming the Country, *and then* the City is next, *who being once diſarmed, muſt proſtitute their* mony-baggs to theſe fellows, *or be* Plundered.

Reader, *having ſpoken my ſenſe to thee, I leave thee to thy own ſenſe, ſubmitting my ſelf to as much Charity as God hath endowed thee withall.* God that made all, preſerve and amend all, *This ſhall be the daily prayer of him that had rather die for his Country, then ſhare with theſe* Godly Thieves, *in eating out the bowels of his Country, and enrichino himſelf with publick ſpoyls.*

The

The Hiſtory of INDEPENDENCY.

YOu have in *The myſtery of the two Juntoes, Presbyterian and Independent*, preſented to your view theſe two Factions, (as it were in a Cockpit pecking at one another) which riſing originally from the two Houſes and Synod, have ſo much diſturbed and diſlocated, every joynt, both Church and Common-wealth. I muſt now ſet before you *Independency* Tryumphant, rouſing it ſelf upon its Legs, clapping its wings, and crowing in the midſt of the Pit, with its enemy under its feet, though not yet well reſolved what uſe it can or will make of its Victory. *The Preamble.*

But before I go any farther, it is fit I tell you what *Independency* is.

1. What Independency is.

It is *Genus generaliſſimum* of all Errors, Hereſies, Blaſphemies, and Schiſms; a generall Name and Title under which they are all united, as *Sampſon's* Foxes were by the *Tailes*. And though they have ſeverall opinions and fancies (which make their *vertigious heads* turn different wayes) yet profit and preferment (be-cauſe their *Tailes*) their laſt and ultimate end by which they are go-verned (like a Ship by his Rudder) and wherein they mutually reſpond; the reſt of their differences being but circumſtantiall eaſily plaiſter'd over with the *untempered Morter* of hypocri-ſie by their *Rabbies* of the Aſſembly, and their *Grandees* of the Houſes and Army, in whom they have an *implicite faith*.

Independency is compounded of Judaiſm.

Mahomet's Alchoran was the Gallemaufry of Jew and Chriſtian; ſo are they a Compoſition of Jew, Chriſtian, and Turk; with the Jew they arrogate to be the peculiar people of God,

the Godly, the *Saints*, who only have right unto the Creatures, and ſhould poſſeſs the good things of this World, all others being Uſurpers; a Tenent ſo deſtructive to humane ſociety and civil Government, that by vertue hereof they may and do by fraud or force, Tax, eat up with free-quarter, cozen and plunder the whole Kingdome, and count it but robbing the Egyptians: To this purpoſe they overthrow all the Judicatures, Laws, and Liberties of the Land, and ſet up Arbitrary Committees, Martial Law, and *Weather-cock* Ordinances in their room, *made* and *unmade* by their own over-powring faction in Parliament at pleaſure, with the help and terror of their *Janiſaries*, attending at their doors.

Chriſtianiſm. With the Chriſtian, ſome of them (but not all) acknowledge the Scriptures, but ſo far only as they will ſerve their turns, to *Phariſe* themſelves, and *Publican* all the World beſides; meer filled with ſpirituall pride, meer Enthuſiaſtiques, of a ſpeculative and high flying Religion, too high for Earth, and too low for Heaven; whereas a true and fruitfull Religion, (like *Jacob's* Ladder) *Stat pede in terris, caput inter nubila condit*, muſt have one ſtand upon earth, as well as the other in Heaven. He that acknowledgeth the duties of the firſt Table to God, and neglecteth the charity of the ſecond Table to man, is an Hypocrite both againſt God and Man.

Turciſm. With the Turk they ſubject all things, even Religion, Laws, and Liberties (ſo much cried up by them heretofore) to the power of the Sword, ever ſince by undermining practiſes and lies they have jugled the *States Sword* into the *Independent Scabbard*.

The Earl of *Eſſex* and Sir *Will. Waller* undermined to let in the Independents. The Earl of *Eſſex*, Generall of all the Parliaments Forces (a man though popular and honeſt; yet ſtubbornly ſtout, fitter for Action than Counſel, and apter to get a victory than improve it) muſt be laid by, and his Forces reduced. The like for Sir *William Waller* and his Forces; that Commanders of *Independent* Principles and Intereſts, with Souldiers ſuitable to them, might by degrees be brought into their room to reap the harveſt of thoſe crops which they had ſowen.

This was the ground-work of the *Independent* deſign, to monopolize the power of the Sword into their hands.

This could not be better effected than by daſhing the *Earl* of *Eſſex*

Eſſex and Sir *William Waller* one againſt another: for which purpoſe the hot-headed Schiſmatique Sir *A. Haſlerigge* was employed with Sir *William Waller* and ſome others (whoſe Aſhes I will ſpare) with the Earl of *Eſſex* to break them one upon another. This was at laſt effected by taking advantage of their ſeverall misfortunes, the one at *Liſkeard* in *Cornwall*, the other at the *Deviſes* in *Wiltſhire*, where *Haſlerigge* (a man too ignorant to command and too inſolent to obey) not ſtaying for the foot, who lay round about the *Deviſes* in a ſtorming poſture, charged up a ſteep hill with his Horſe onely againſt the Lord *Wilmots* Party, one Diviſion ſo far from another, that the Second Diviſion could not relieve the firſt, thereby freeing Sir *Ralph Hopton* from an aſſured overthrow, and beſtowing an unexpected Victory on the Lord. *Wilmot*: he received a wound in his flight, the ſmart whereof is ſtill ſo powerfully imprinted in his memory, that he abhors fighting ever ſince; witneſſe his praying and crying out of Gun-ſhot at the Battle at *Chereton*, when he ſhould have fought; and his complaints onely made in the Houſe of Commons of the Earl of *Stanford* for Baſtonadoing him. Which raſhneſſe of his (if it deſerve not a worſe name) was ſo far from being diſcountenanced that he received not long after a gift of 6500l. from the Houſe and is lately made Governour of *Newcaſtle*, and 3000l. given him to repair the works there. I ſhall not need the Spirit of Prophecy to foreſee, that the tenth part of the ſaid 3000l. will not be beſtowed upon thoſe works. Thus was he favoured by his party in the Houſe, who were thought to look upon this action as an acceptable ſervice.

3. The Earl of *Manchеſter* undermined.

In farther progreſſe of this deſign, *Mancheſter* (a Lord, and therefore and not to be confided in) was undermined and accuſed by his Lieut. Generall *Cromwell* of high Crimes, whom he again recriminated with a Charge of as high a nature; and when all men were high in expectation of the event, it grew to be a drawn battle between them; whereby all men concluded them both guilty: *Mancheſter* was diſcarded.

Out of the aſhes of theſe three aroſe that Phœnix (forſooth a new modelled Army, under the Command of Sir *Thomas Fairfax*, a Gentleman of an irrational and brutiſh valour, fitter to follow another mans counſel than his own, and obnoxious to

Cromwell, and the *Independent faction* (upon whose bottome he stands) for his preferment, it being no dishonour to him to become the property to a powerfull Faction.

4. e Victories the new odel how hieved.

It pleased God to bestow many Victories upon this army over the Kings Forces, then strong in bulk, but weakned by Factions, want of pay, and other distractions (whereby many of their Commanders not confiding in one another, began to provide for their future safety and subsistence) but above all, they had generally lost the peoples affections. To these their Victories, the constant pay, and supplies, and all other helps and encouragements from a concurring State, which their working and *restlesse faction* carefully accommodated them withall, (far beyond what any other Army had formerly) did much conduce, in so much as they cleared the Field, and took in all the enemies Garrisons, with so much facility, that to many men they seemed rather *Cauponantes bellum quam belligerantes*, to conquer with silver than with steel: a good Purse is a shrewd weapon.

5. tifices to ake *Cromwel* d his new odel popu-r.

Thus this Faction having got a Generall fit for their turn, and a Lieutenant Generall wholly theirs in judment and interest, were diligent to make him famous and popular, by casting upon him the honour of other mens atchievements and valour. The News-books taught to speak no language but *Cromwell*, and his Party; and were mute in such actions as he and they could claim no share in; for which purpose the Presses were narrowly watched. When any great exploit was half atchieved, and the difficulties overcome, *Cromwell* was sent to finish it, and take the glory to himself, all other men must be eclipsed, that *Cromwell* (the *Knight of the Sun* and *Don Quixot* of the *Independents*) and his Party may shine the brighter.

mo- mo- by de- o put word in- e hands of hismaticks.

And that *Cromwells* Army might be suitable to himself, and their Designs carried on without interruption or observation of such as are not of their Principles, all the Sectaries of *England* are invited to be Reserves to this Army; and all pretences of scandals and crimes laid hold of at their own Councils of War, to casheer and disband the Presbyterian party, that *Independents* might be let into their rooms, though such as (for the most part) never drew Sword before: so that this Army (which boasteth it self for the Deliverer, nay the Conquerour of two Kingdoms) is

no

no more the ſame that fought at *Naſeby*, than Sir *Francis Drakes* Ship that brought him home, can be called the ſame Ship that carried him forth about the Earth, having been ſo often repaired, and therefore ſuffered ſo many ſubtractions and additions, that hardly any of the old veſſel remained. It was therefore nominally and formally, not really and materially the ſame.

The ſaid *myſterie of the two Juntoes* farther tells you, that the Independent *Junto* bottomed all their hopes and intereſts upon keeping up this Army, whereby to give the Law to King, Kingdom, Parliament and City, and to eſtabliſh that *Chimæra* called *Liberty of conſcience*. That this was *Cromwels* ambition formerly, the Earl of *Mancheſter's* aforeſaid Charge againſt *Cromwell* (though let fall without proſecution, leſt ſo great a myſtery ſhould be diſcovered) makes it probable, and his latter practiſes upon which I now fall makes it infallible.

The Houſes long ſince (for eaſe of the people) in a full and free Parliament, ordained the diſbanding of this Army, only 5000. Horſe, 1000. Dragoons, and ſome few Fire-locks to be continued in pay for ſafety of this Kingdom, and ſome of them to be ſent for *Irelaed*: for which purpoſe they borrowed 200000 l. of the City (being the ſame ſum which diſbanded the Scots) and for the reſt of their Arrears, they were to have Debenters and ſecurity without all exceptions; ſuch terms of advantage as no other diſbanded Souldiers have had the like, neither are theſe like to attain to again: ſo that they have brought the Souldiers into a loſſe, as well as into a labyrinth; their continuing in arms without, nay, againſt *lawfull Authority*, being a manifeſt act of Treaſon and Rebellion, and ſo it is looked upon by the whole Kingdom; nor can the Parliaments ſubſequent Ordinances (which all men know to be extorted by force, as hereafter ſhall appear) help them.

The Army voted to be diſbanded through *Cromwels* craft.

To the paſſing of this Ordinance, *Cromwells* Proteſtation in the Houſe with his hand upon his breſt, *In the preſence of Almighty God, before whom he ſtood, that he knew the Army would diſband and lay down their Arms at their door, whenſoever they ſhould command them*, conduced much: this was maliciouſly done of *Cromwell*, to ſet the Army at a greater diſtance with the Presbyterian Party, and bring them and the Independent party neerer together:

together he knew the Army abominated nothing more than Disbanding and returning to their old Trades, and would hate the Authors thereof.

Agitators raiſed by *Cromw.*

And at the ſame time when he made theſe proteſts in the Houſe he had his Agitators (*Spirits* of his and his Son *Iretons* conjuring up in the Army, though ſince conjured down by them without requital) to animate them againſt the major part of the Houſe,

9. The beginning of the project to purge the Houſes.

(under the notion of *Royaliſts*, a *Malignant party* and *Enemies to the Army*) to engage them againſt *Disbanding* and *going* for *Ireland*; and to make a Traiterous Comment upon the ſaid Ordinance, to demand an *Act of Indemnity*, and relie upon the advice of Judge *Jenkins* for the validity of it, and to inſiſt upon many other high demands; ſome private, as Souldiers; ſome publique, as States-men.

10. The Army put into mutiny againſt the Parliam. whereby *Cromwell* monopolizeth the Army.

Cromwell having thus by mutinying the Army againſt the Parliament, made them his own, and monopolized them, (as he did formerly his Brew-houſe at *Ely*) which he might eaſily do, having before-hand filled moſt of the chief Offices in the Army with his own kindred, allyes, and friends, (of whoſe numerous family Lieut. Col. *Lilburn* gives you a liſt in one of his Books) he now flies to the Army, doubting (his practiſes diſcovered) he might be impriſoned: where he and *Ireton* aſſuming Offices to themſelves, acted without Commiſſion; having not only been ouſted by the ſelf-denying Ordinance, (if it be of any power againſt the godly) but alſo their ſeverall Commiſſions being then expired; and Sir *Thomas Fairfax* having no authority to make Generall Officers, as appears by his Commiſſion (if he make any account of it) and therefore *Sprig* alias *Nathaniel Fines*, in his Legend or Romance of this Army, called *Anglia Rediviva*, ſets down two Letters ſent from Sir *Thomas Fairfax* to the Speaker *William Lenthal*, one to deſire *Cromwel's* continuance in the Army, another of thanks for ſo long forbearing him from the Houſe: ſee *Ang. Red. p.*10, 11, 19. which needed not, had he been an Officer of the Army.

11. *Cromwells* family in the army.

12. *Cromwel* and *Ireton* uſurp Offices in the army.

And now both of them bare-faced, and openly, joyn with the Army at *Newmarket*, in trayterous Engagements, Declarations, Remonſtrances, and Manifeſto's; and Petitions penn'd by *Cromwell* himſelf were ſent to ſome Counties to be ſubſcribed, againſt

ſuppoſed

ſuppoſed Obſtructors of Juſtice, and invaders of the Peoples Liberties in Parliament; and the Army at *Newmarket* and *Triplo-Heath* prompted to cry, *Juſtice Juſtice* againſt them; and high and reaſonable demands, deſtructive to the fundamentall priviledges of Parliament were publickly inſiſted upon; many of which for quietneſſe ſake, and out of compaſſion to bleeding *Ireland*, were granted; yet theſe reſtleſſe ſpirits (hurried on to further deſigns) made one impudent demand beget another, and when by Letters and otherwiſe they had promiſed, *That if their then preſent demands were granted, they would there ſtop and acquieſce*; yet when they ſeemed to have done, they had not done, but deluded and evaded all hopes of Peace by miſ-apprehenſion, and miſ-conſtruction of the Parliaments conceſſions; making the miſ-interpretations of one grant the generation of another demand, ſo that almoſt ever ſince the Parliament hath nothing elſe to do but encounter this *Hydra* and *roll this ſtone*.

Having thus debauched the Army, he plotted in his own Cham- Securing *Oxford*, and plundring the King from *Holdenby*.
er the ſecuring the Garriſon, Magazine, and Train of Artillery of *Oxford*, and ſurprizing the Kings perſon at *Holdenby*; which his Inſtrument Coronet *Joyce* with a Commanded party of horſe, he effected; and when *Joyce* (giving *Cromwell* an account of that action) told him *He had now the King in his power*: well replied *Cromwell*)*I have then the Parliament in my Pocket*. O inſolent Slave! O ſlaviſh *Engliſh* thus to ſuffer your King and Parliament, together with your Wives and Children, Religion, Laws Liberties, and Properties, to be Captivated by ſo contemptible a Varlet. If our Noble Anceſtors (who vindicated their Liberties and got *Magna Charta* by the Sword) ſhall look down from Heaven, and ſee their Poſterity ſo cowardly reſign them to a handfull of bloody, cheating Schiſmaticks, they will not own us, but take us for *Ruſſian* Slaves, *French* Peaſants, and cry out, that we are a Baſtard brood, *Servi natura*, born to bondage; yet afterwards (having recourſe to his uſual *familiarity with Almighty God*) *Cromwell* uſed his Name to proteſt his ignorance and innocence in that buſineſſe, both to the *King* and *Parliament*, adding an execration upon his Wife and Children to his proteſtation; yet *Joyce* is ſo free from puniſhment, that he is ſince preferred and his arrears paid by their means;

means; and though both Houſes required the Army to ſend his Royall Perſon to *Richmond*, to be there left in the hands of the Parliaments Commiſſioners, whereby both Kingdomes might freely make addreſſes to him, (for they had formerly excluded and abuſed the Scots Commiſſioners, contrary to the law of Nations, and votes of both Houſes, and yet then granted free acceſs to the moſt deſperate perſons of the *Kings party*) yet they could obtain no better anſwer from theſe *Rebellious Saints*, that *That they deſired no place might be propoſed for His Majeſties reſidence nearer* London *than where they would allow the Quarters of the Army to be.* This was according to their old threats of marching up to *London*, frequently uſed when any thing went contrary to their deſires; they knew what dangerous and troubleſome gueſts we ſhould find them here.

Manifeſto of the Army June 27. 1647.

How much is this Army degenerated ſince *Cromwell* and his demure white-livered Son-in-law *Ireton* poyſoned their manners with new principles? *Anglia Rediviva p.* 247. tells us, that about *Woodſtock* private overtures were made by ſome from Court for receiving his Majeſty, who was minded to caſt himſelf upon the Army; but ſuch was their faithfulneſſe in that point, that conceiving it derogatory to the honour and power of Parliament; (for his Majeſty to wave that higheſt Court, and addreſſe himſelf to any others) and therefore inconſiſtent with their truſt and duty, being ſervants of the State, they certified the Parliament thereof; and underſtanding it to be againſt their ſenſe alſo, they abſolutely refuſed to be tampered with. Oh, how faithfull then! how perfidious and *Cromwellized* are they now! let their frequent tampering with the *King and His Party*, to the amazement of the Kingdom, and the *abuſing of the King*, teſtifie. Read *Putney projects* written by a conſiderable Officer of the Army, and a friend to *Cromwell*, though not to his falſe practices.

14. Their project to keep the Parliament in Wardſhip.

Having thus gotten the *King* (the *firſt* and moſt viſible legal authority of *England*) into their poſſeſſion, their next deſign is to get the *Parliament* (the *ſecond* legall authority of *England*) into their power.

15. Purging the Houſes again.

This could not be effected but by purging the two Houſes of *Presbyterian Members* (eſpecially the moſt active, and ſuch as had laboured their disbanding) that an *Independent* Parliament and

Army

Army might govern the Kingdom: In order to which deſign they ſent to the Houſe of Commons in the name of Sir *Thomas Fairfax* and the *Army*, a general and confuſed Charge of High Treaſons and other miſ-demeanours againſt *eleven Members*, for things done (for the moſt part in the Houſe) and many of the principal, ſuch as the Houſe had long before examined and acquitted them of, and ſuch as the whole Kingdome knows *Cromwell* and *Ireton* to be apparently guilty of; as, *Trucking with the King, &c.* 16. Accuſing the 11. Members.

One chief Article inſiſted upon in the Charge was, *That by their power in the Houſe, they cauſed the Ordinance for Disbanding this Army to paſs.* Here you ſee where the ſhooe wrings them; This Charge was not ſubſcribed by any informer that ingaged to make it good, or elſe to ſuffer puniſhment, and make the Houſe and the parties accuſed reparations: as by the *Stat.* 25. *Ed.* 3. *c.* 4. 27. *Ed.* 3. *c.* 18. 38. *Ed.* 3. *c.* 9. 17. *R.* 2. *c.* 6. 15. *H.* 6. *c.* 4. but eſpecially by 31. *H.* 6. *c.* 1. concerning *Jack Cade* (which comes neareſt this caſe) ought to be; and they profeſſed in the 2. 3. 4. Article of their Charge, *That they were diſ-obliged and diſcouraged from any further engagement in the Parliament ſervice, or* Irelands *preſervation; And demanded the Houſe ſhould forthwith ſuſpend the impeached Members from any longer ſitting and acting.* Whereupon, the Houſe after full debate in a full and free Parliament, *Reſolved*, June 25. 1647. *That by the Laws of the Land no judgment could be given for their ſuſpenſion upon that general Charge, before particulars produced, and proofs made*; Yet the Army (which had now learned only to acquieſce in their own prudence and juſtice) inſolently threatned to march up to *Weſtminſter* againſt the Parliament, in caſe the ſaid 11. Members were not ſuſpended; and courted the City of *London* to ſit Neuters, and let them work their will with the Parliament. 17. Threats to march up to *London*. 18. *London* ſolicited to ſit Neuters.

The 11. impeached Members therefore modeſtly withdrew to free the Houſe from ſuch danger, as they might incur by protecting them, as in Juſtice and Honour they were bound to do: After this, the Army ſent in their particular Charge; and libellouſly publiſhed it in print by their own Authority. To which the 11. Members ſent in, and publiſhed their Anſwer. Upon which there hath been no proſecution, becauſe they pretend firſt

to ſettle the Kingdom, but if they ſtay till theſe fellows have ther authority, will, or skill to ſettle the Kingdom, they ſhall r need to make ready for their trial till Dooms-day. Here you ha a whole Army for Accuſers, and the chief Officers of the Ar (being Members of the Houſe) not only accuſers, but parti Witneſſes, and Judges, and carrying the Rules of Court, and La by which they judge, in their Scabards. And the Charge of I peachment, ſuch (as all men know) *mutatis mutandis* are more ſu able to *Cromwells* and *Iretons* actions, then the accuſed Parties the proceeding in the Kings name againſt the 5. Members m tioned in *The exact Collection part* 1. *p.* 38. were Voted *Tr terous deſign againſt King and Parliament*, and the arre ing an them upon the Kings Warrant, *an Act of publick enmity aga the Common-wealth*: How much more *Treaſonable* were theſe p ceedings; & the Armies March towards *London* to enforce the and their arreſting *Anthony Nichols*, having the Speakers Paſſe, a leave of the Houſe; Colonel *Burch*, being upon ſervice of Parliament going for *Ireland*; and Sir *Samuel Luke*, reſting qu in his own houſe?

19. The firſt occaſion of quarrel againſt the City.

Whilſt theſe things were acting, *Cromwel* finding he could r have his will upon the Parliament, but that he muſt make the C of *London* (who had denied the neutrality) his Enemies, c about how to cheat the Country people of their affections; (to have both City and Country his Enemies in the poſture

20. Courting and cheating the Country and all other intereſts to lull them aſleep till the Grandees had wrought their will upon the City and Houſes.

Army was then in, was dangerous, he therefore by many Pri ed Books and Papers, ſpread all *England* over by his Agi tors, and by ſome Journey-men Prieſts (whoſe *Pulpits* are beſt *Juglers boxes* to deceive the ſimple) *Abſolom*-like, woo them to make loud Complaints of the preſſures and grievan of the Peo le: to neglect the King and the Parliament, and m Addreſſes to the Army as their only Saviours, the Arbitrators Peace, Reſtorers of our Laws, Liberties and Properties, Set of Religion, Preſervers of all juſt intereſts: pretended to ſet the King in his juſt Rights and Prerogatives; to uphold the P

21. Petitions to the Army, and for the Army.

vileges of Parliament, eſtabliſh Religion, to reform, and bri to account all Committees, Sequeſtrators, and all others that h defiled their fingers with publique money or goods; To free t people from that all-devouring Exciſe and other Taxes; to

da

eſſe undue elections of Members; To relieve *Ireland*: Things mpoſſible to be performed by an Army, and now totally for-otten; ſo that they have only accepted of their own private emands as Souldiers; That the Parliament ſhould own them or *their Army*; Eſtabliſh pay for them; put the whole *Militia* f this Kingdom, and *Ireland* both by Sea and Land, into their ands, and Vote againſt all oppoſite Forces. But they are now ecome the only Protectors of all corrupt Committee-men, Se-ueſtrators, Accomptants to the State, and all other facinorous erſons, who comply with them to keep up this Army, for their wn ſecurity againſt publick juſtice.

Having thus courted and cheated all the publick and juſt In-ereſts of the Kingdom, they deceived the peo le ſo far as to ake them *Iſſachar*-like, patiently to bear the *burden of free-quar-r*, and to make addreſſes to the Army for themſelves; by Peti-ons, to which they gave plauſible anſwers, That *this*, and *this* as *the ſenſe of the Army*: As if the ſenſe of the Army had been he ſupreme Law of the Land, and to make addreſſes to the Parli-ment for the Army not to be disbanded, (for which purpoſe their *gitators* carried Petitions ready penned to be ſubſcribed in moſt ounties.)

The People being thus lulled aſleep, they now caſt about how make benefit of a joynt quarrell both againſt the Parliament id City, (ſince they could not ſeparate them) or at leaſt againſt e Presbyterian party in both; they had withdrawn their quar-rs (in a ſeeming obedience to Parliaments commands) 30. miles om *London* (of which they often brag in their Papers) and pre-med the ſuſpenſion of the 11. Members, had ſtruck ſuch an aw-lneſs into the Houſes, that moſt of the Presbyterian Members ould either abſent themſelves, (as too many indeed did) or turn enegadoes from their own principles to them: but found them-ves notwithſtanding oppoſed, and their deſires retarded (be-nd their expectation) by the remainder of that party. They uſt therefore find out a quarrel to march againſt the City, and ve the Houſes another Purge, ſtronger then the former.

22. A quarrel againſt the City invented.

23. The Army demand the City Militia to be changed into other hands.

The Army being principled, and put into a poſture ſutable to *mwels* deſire, and the Country charmed into a dull ſleep, now s his time to pick a quarrel with the City, that what he could

not obtain by fair means, he might obtain by foul, to make them deſert and divide from the Parliament, and leave it to be modelled according to the diſcretion of the Souldiery. He could not think it agreeable to policy, that the City which had ſlain his Compeer and fellow Prince *Wat Tyler* (the Idol of the Commons in *Richard* the ſeconds time) and routed his followers (four times as many in number as his Army) ſhould be truſted with the own *Militia*, the City being now greater, more populous and powerfull then in his days. In a full and free Parliament upon mature debate, both Houſes by Ordinance (dated 4. *May* 1647) had eſtabliſhed the *Militia* of the City of *London* for a year, in the hands of ſuch Citizens, as by their Authority and approbation were nominated by the Lord Mayor, Aldermen, and Common Council; and though the Army had recruited it ſelf without Authority, and had got themſelves inveſted with the whole power of all the Land forces of the Kingdom in pay of the Parliam. ſo that there was nothing left that could be formidable to them but *their own crimes*; and that it was expected they ſhould go roundly to work upon thoſe publick remedies they had ſo often held forth to the people in their popular Printed Papers: Yet the Army (contrary to what they promiſed to the City in their *Letter* 10 *June*, and their *Declaration* or *Repreſentation*, 14. *June*, 1647 *That they would not go beyond their deſires at that time expreſſed and for other particulars would acquieſce in the Juſtice and Wiſdom of the Parliament*; (behold their modeſty!) by a *Letter* and *Remonſtrance* from Sir *Thomas Fairfax* and the Army, with unreſiſted boldneſs demanded the *Militia* of the City of *London* to be returned into other hands, without acquainting the City or their Commiſſioners (then reſident in the Army to keep a good correſpondency with them) therewith; upon which Letter alone the Houſe of Commons (being very thin, and many Members driven away by menaces) upon *July* 22. Voted the repealing the ſaid Vote of 4. *May*, and a new Ordinance for reviving the old *Militia*, preſently paſſed and tranſmitted to the Lords the ſame day about ſeven of the clock at night, and there preſently paſſed without debate, though moved by ſome to be put off until the City (whoſe ſafety and privileges it highly concerned) were heard what they could ſay to it.

Sir *Tho. Fairfax* and the Army, p. 8. 9.

Obſerv

Obſerve that neither by the ſaid Paper from the Army; nor by
y man in the two Houſes, any thing was objected againſt any
the new *Militia*.

And indeed, formerly the Parliament never made choice of,
larged or changed the City *Militia*, but they were ſtill pleaſed
t to communicate the ſame to the Common-Council; a Re-
ct juſtly ſhewed to that City which had been ſuch good friends
them; but of late, ſince the Parliament have ſhifted their old
inciples and Intereſts, they have learned to lay by their old
iends. The pretence for this haſty paſſing the Ordinance, was
prevent the Armies ſo much threatned march to *London*, if the
uſes refuſed to paſs it; and the Cities oppoſition, if not paſſed
fore their notice of it. But the real deſign was to ſtrike a diſ-
ntent and jealouſie into the City, thereby to force them to
ne act of ſelf-defence, which might give a colour to the Army
march up againſt them, and their friends in the Houſes.

The unexpected news of this changing their *Militia*, cauſed
e City (*June* 24. being Saturday) to meet in Common-Coun-
, where, (for ſome reaſons already expreſſed) and becauſe
repealing this Ordinance upon no other grounds then the Ar-
es imperious deſires, might juſtly be ſuſpected, to ſhake all o-
r Ordinances, for ſecurity of Money, ſale of Biſhops Lands, by
king them repealable at the Armies pleaſure; they reſolve to
ition the Houſe upon Monday morning following, being 26.
y, which they did by the Sheriffs and ſome Common-Council
n; But ſo it hapned, that about one thouſand *Apprentices* wholly
rmed, came down two or three hours after with another Pe-
on, of their own, to the Houſes; Therein complaining, that *to*
der the Cities Militia was the Cities Birth-right, belonging to
n by Charters confirmed in Parliament, for defence whereof they
adventured their lives as far as the Army; And deſired the
litia might be put again into the ſame hands in which it was put
h the Parliaments and Cities conſent by Ordinance, May 4.
lpon reading theſe Petitions, the Lords were pleaſed to revoke
Ordinance of *July* 23. and revive that of *May* 4. by a new
dinance of *July* 26. which they preſently ſent down to the
mmons for their conſents, where ſome of the Apprentices (pre-
ing they might have as good an influence upon the Houſe to

24. The City troubled at the change of their *Militia*.

I appeal to Colonel *Harvy*, whether this did not fright him?

25. The City Petition the Houſes for their *Militia* again.

26. The tumult of Apprentices.

26. *July*.

obtain *their due*, as the Army in pay of the Parliament had to obtain *more then their due*) in a childiſh heat were over-clamorous to have the Ordinance paſſed, refuſing to let ſome Members paſs out of the Houſe, or come forth into the Lobby when they were to divide upon the queſtion about it, (ſo ignorant were they of the cuſtomes of the Houſe) which at laſt paſſed in the affirmative about three of the clock afternoon; and then moſt of the Apprentices departed quietly into the City. After which, ſome diſorderly perſons (very few of them Apprentices) were drawn together and inſtigated by divers Sectaries and friends of the Army who mingled with them (amongſt whom one *Highland* was obſerved to be all that day very active; who afterwards [26. *Sept.* delivered a Petition to the Houſe againſt thoſe Members that ſate and was an Informer and Witneſs examined about the ſaid *Tumult*) gathered about the Commons door and grew very outragious, compelling the Speaker to return to the Chair after he had adjourned the Houſe; and there kept the Members in until they had paſſed a Vote, *That the King ſhould come to London to Treat.*

27. The Tumult of Apprentices ceaſed, but artificially continued by Sectaries.

This was cunningly and premeditately contrived, to encreaſe *the ſcandal upon the City*; yet when the Common-Council of *London* heard of this diſorder as they were then ſitting; they preſently ſent down the Sheriffs to their reſcue with ſuch ſtrength as they could get ready (their *Militia* being then unſetled by the contradicting Ordinances of the Parliament) who at laſt pacified the Tumult, and ſent the Speaker ſafe home; which was as much as they could do in this intervall of their *Militia*, being the Houſes own Act.

28. The Speaker of the Commons complained of a report, that he meant to flie to the Army; yet run away to the Army.

The Lords adjourned until the next Friday; the Commons but until the next day. Tueſday morning the Commons ſate again quietly, and after ſome debate adjourned until Friday next, becauſe the Lords had done ſo.

The next day being Wedneſday, the *monthly Faſt*, the Speaker and Members met in *Weſtminſter* Church; where the Speaker complained (in ſome paſſion) to Sir *Ralph Aſhton* and other Members, of a ſcandalous report raiſed on him in the City, as if he intended to deſert the Houſe, and fly to the Army, ſaying, *he ſcorned to do ſuch a baſe, unjuſt, diſhonorable act; but would rather die in his Houſe and Chair:* which being ſpoken in a time and

place

place of ſo much reverence and devotion, makes many think his ſecret retreat to the Army (the very next day) proceeded not ſo much from his own judgment, as from ſome ſtrong threats from *Cromwel* and *Ireton* (who were the chief contrivers of this deſperate plot to divide the City and Houſes, and bring up the Army to *enthrall them both*) *That if he did not comply with their deſires, they would cauſe the Army to impeach him for couſening the State of many vaſt ſums of money.*

And truly I remember I have ſee... ...intercepted Letter, [illegible] about the time of his flight, from the Army to *Wil. Lenthal* Speaker without any name ſubſcribed to it, only the two laſt lines were of *John Ruſhworths* hand; earneſtly importuning *him to retire to the Army, with his friends.*

27. The City proclaim againſt Tumults.

On Thurſday morning early, the newly renewed *Militia* of *London*, made publick Proclamation throughout the City and Suburbs, and ſet up printed Tickets at *Weſtminſter*, *That if any perſon ſhou'd diſturb either of the two Houſes or their Members, the Guards ſhould apprehend them, and if reſiſtance were made, kill them*; yet notwithſtanding, the Speaker and his party, (carrying the cauſes of their fear in their own conſciences) in the evening of that day ſecretly ſtole away to *Windſor* to the Head-quarters.

30. The Houſes appear, the Speaker being at the Army.

Upon Friday morning at leaſt 140. of the Members aſſembled in the Houſe (the reſt that fled being about 40.) whither the Serjeant coming with his Mace, being asked where the *Speaker was?* anſwered, *He knew not well; that he had not ſeen him that morning, and was told he went a little way out of Town laſt night*; but ſaid, *he expected his return to the Houſe this morning*: after that, being more ſtrictly queſtioned about the Speaker, he withdrew himſelf, and would not be found, till the Houſe (after four hours expectation, and ſending ſome of their Members to the Speakers houſe, who brought word from his Servants, that *they conceived he was gone to the Army*) had choſen a *new Speaker*, Maſter *Henry Pelham*, and a new Sergeant, who procured another Mace. The like (*mutatis mutandis*) was done by the Lords, to prevent diſcontinuance and fayler of the Parliament for want of Speakers to adjourn and ſo to continue it; and take away all ſcruples.

31. New Speakers choſen.

32. Petition and Engagement of the City.

As for the *Petition and Engagement of the City* (ſo much aggravated

vated by the *Independent party*) it was directed to the *Lord Mayor Aldermen*, and *Common-Council*; from divers *Citizens, Commanders* and *Souldiers*, and was occaſioned by ſome intelligence they had, that the *Army would demand an alteration of the City Militia, in order to a deſign they had againſt the City*. It was only intended to the Common Hall, but never preſented, as the *Souldiers Petition* was to their *General*, which being taken notice of by the Parliament as it was in agitation, was ſo much reſented by the Souldiery, as to put themſelves into the poſture they are now in (a Lieut. Col. *Lilburn* ſays in one of his books) to act no longer by their Commiſſion, but by the principles of Nature & ſelf-defence nor did the ſaid *Engagement* contain any thing but *reſolutions of ſelf defence, in relation to the City*; ſo that we cannot ſee what the Army had to do to declare their ſence upon it in their *Letter* 23 *July*, & ſo put a prejudice upon it in the Houſes. I have inſiſted the more particularly upon this *Grand Impoſture*, as being the *Anvil* upon which they hammered moſt of their ſubſequent deſigns *violent* and *illegal accuſations*.

33. Votes paſſed after new Speakers choſen.

The new Speakers choſen; *the two Houſes proceeded to Vote and Act as a Parliament*.

And firſt, *The Houſe of Commons Voted in the eleven impeached Members: next, They revive and ſet up again the Committee of ſafety by Ordinance of both Houſes, enabling them to joyn with the Committee of the reſtored City Militia, giving power by ſeveral Ordinances to them, to Liſt and raiſe Forces, appoint Commanders and Officers, iſſue forth Arms and Ammunition for defence of both Houſes and the City againſt all that ſhould invade them.* Which Votes and preparations for their ſelf-defence (warranted by the ſame law of Nature, as the Armies papers affirm) were not paſſed, nor put in execution untill the Army (every day recruited contrary to the Houſes Orders) were drawing towards *London*, and had with much ſcorn diſobeyed the Votes and Letters of both Houſes, prohibiting them *to come within thirty miles of London*.

34. Members Engagement with the Army.

The Army, to countenance their Rebellion, *draw the two Speakers and fugitive Members to ſit in conſultation, and paſs Votes promiſcuouſly with the Council of War in the nature of a Parliament, and to ſign an Engagement* (dat. 4. Auguſt.) *to live and*

ue with Sir Thomas Fairfax *and the army under his command*, af-
firming therein, *that generally throughout their ſenſe agreeth with the Declaration of Sir* Tho. Fairfax, *and his Council of War, ſhewing the grounds of their preſent advance towards the City of* London. In which Declaration, the Council of the Army take upon them to be *ſupreme Judges over the Parliament*; Telling you who of the two Houſes they hold for perſons in whom the publick truſt of the Kingdom remaineth, and by whoſe adviſe they mean to govern themſelves in managing the weighty affairs of the Kingdom. They declare againſt the late choice of a new Speaker by ſome Gentlemen at *Weſtminſter*; And that as things now ſtand, there is no free nor legal Parliament ſitting, being through the violence (26. *July*) ſuſpended. That the Orders and Votes, &c. paſſed 9. *July* laſt, and all ſuch as ſhall paſſe in this aſſembly of ſome few Lords, and Gentlemen at *Weſtminſter*, are void and null, and ought not to be ſubmitted unto.

Behold here, not only a power without *the Parliament Houſes*, judging of the very *eſſence of a Parliament*, and the validity of their reſolutions, but uſurping to themſelves a *negative Voice*, which they deny to the King; and yet a Schiſmatical faction in the 2. Houſes complying with them, and betraying and proſtituting the very being, Honour, and all the fundamental rights and privileges of this and all future Parliaments to an army of Rebels who refuſe to obey their Maſters, and disband.

This Engagement ſo over-leavened the army, that their brutiſh General ſent forth Warrants *to raiſe the Trained Bands* of ſome Counties, to march with him againſt the City and both Houſes; though Trained Bands are not under any pay of the Parliament; and therefore not under command of the General, by any Order or Ordinance. But what will not a *Fool in authority* do, when he is *poſſeſſed by Knaves*? Miſerable man! His Foolery hath ſo long ſerved upon *Cromwell's* and *Ireton's* knavery, that it is not ſafe for him now to ſee his folly, and throw by his *Cap with a Bell* and *his Bable*.

55. The City ſend Commiſſioners to the Army, *Fowks*, *Gibs*, and *Eſtwick*, by whom they are betrayed.

The Earl of *Eſſex* died ſo opportunely, that many ſuſpected his death was artificiall.

Yet the City were ſo deſirous of Peace, that they *ſent Commiſſioners* ſundry times *to the Army* to mediate an Accord; Who could

could obtain no more equal terms of Agreement, then th[at] *They ſhould yield to deſert both Houſes, and the impeached Members: Call in their Declaration newly Printed and publiſhed: Relinquiſh the Militia: Deliver up all their Forts and Line of Communication to the Army; together with the Tower of* London, *and all the Magazines and arms therein: Disband all their Forces: Turn all the Reformadoes out of the Line: Withdraw all their guards from the Houſes: Receive ſuch Guards of Horſe and Foot within the Line, as the Army ſhould appoint to guard the Houſes: Demoliſh their works, ſuffer the whole Army to march in triumph through the City as Conquerours of it and the Parliament, and* (as they often give out) *of the whole Kingdome:* tearms which they might have had from the great Turk, had he ſate down before them and broken ground.

All which was ſuddenly and diſhonourably yielded to, and executed according, by ſuch an Army as was not able to fight with one half of the City, had they been united: But they are the *Devils ſeed-men*, and have ſown the *Cockle of Hereſies and Schiſm*, ſo abundantly in City and Country (ſpecially amongſt the more beggarly ſort) that theſe men joyning Principles and intereſts with the Army, weaken the hands of all opponents. They often brag, that they made a civil march, free from Plunder: I Anſwer, they neither durſt nor could do otherwiſe: their Souldiers being ill armed, and ſo few, that they were not able to keep ſtands in the ſtreets, and keep the Avenues while their Fellows diſperſed to Plunder. *Charles* 8. with a far greater, and more Victorious Hoſt, durſt not offer violence to the far leſſe City of *Florence* when *Signior Capona* put an affront upon him in the Town-houſe; Bidding him *beat his drums, and he would ring their Bells.*

36. The fugitive Members returned.

Upon the 6. of *Auguſt*, 1647. The General brought the fugitive Speakers and Members to the Houſes with a ſtrong Party, (who might have returned ſooner without a Guard, had not their own crimes and deſigns hindred them) the two Palaces filled with armed guards, double Files clean through *Weſtminſter-hall*, up the ſtairs to the Houſe of Commons, and ſo through the Court of Requeſts to the Lords Houſe, and down ſtairs again into the old Palace. The Souldiers looking ſcornfully upon many Member.

abers that had ſat in the abſence of the Speaker, and threat-
, to cut ſome of their throats. And all things compoſed to ſo
ulous a terrour, as if they would *beſpeak* (without *ſpeaking*)
bſence of thoſe Members that ſat, placed the Speakers in the
rs without Vote, out of which they had been juſtly Voted
eſerting their calling: where the General was placed in a
of State, (enough to make a fool of any man that was not
r it) and received ſpecial thanks for his ſervice from both
ters. And in the ſecond place, *a day of thanksgiving* was ap-
ed to God, (I think) for his patience in not ſtriking theſe A-
icalSaints with thunder and lightning for making him a ſtale
eir premeditated villanies.

re Sir *Thomas Fairfax*, with a breath (and before any man
vas not privy to the deſign could recover out of his a-
ment) was made *Generaliſſimo* of all the Forces and Forts
gland and *Wales*: to diſpoſe of them at his pleaſure: *Con-*
of the Tower of *London*. The common Souldiers Voted
oneths gratuity, beſides their pay (the Commons being in
caſe to give gifts before they *pay debts*:) left to the diſcre-
of the General to ſet what Guards he pleaſed upon the two
es. Whereby you may perceive in what unequal condition
Members that did not run away with the Speaker, do now
fter ſo many reiterated threats of the General againſt them
printed Papers.

ter this, the General, Lieutenant General, Major Gene- The Armies
ippon (heretofore Waggoner to Sir *Francis Pere*, and one march in Tri-
iath got well by ſerving the City) and the whole Army, umph through
the Train of Artillery, marched through *London* in ſo great the City, with
) and Triumph, as if they would have the People underſtand other ſubſe-
he Authority of the Kingdom (in whoſe hands ſoever it quent acts.
ins in theſe doubtfull times) muſt ſubmit to the *power of the*
d, the hilt and handle whereof they hold. They *turn out the*
tenant of the Tower without cauſe ſhewn. The conſequences
eſe two actions were, that immediately the City decayed in
e above 200000l. a week: and no more bullion came to the
t.

ney diſplace all our Governours, though placed by Ordi-
e of Parliament, and put in men of their own party; for this
increaching

encroaching faction will have all in their own hands: they alter, and divide the Militia of *London*, ſetting up particular Militia's at *Weſtminſter*, *Southwark*, and the *Hamblets of the Tower*, that being ſo divided they may be the weaker: Demoliſh the lines of Communication, that the City and Parliament may lie open to Invaſion when they pleaſe, and fright many more Members from the Houſes with threats, and fear of falſe impeachments.

The 11. impeached members, having leave by order of the Houſe, and licenſe of the Speaker, ſome to go beyond Sea, and *Anthony Nichols* to go into his own Country to ſettle his affairs; Some of them (as Sir *William Waller*, and M. *Den. Hollis*) were attacht upon the Sea, *Nichols* arreſted upon the way into *Cornwall* by the army, and deſpightfully uſed. And when the General was inclined to free him, *Cromwell* (whoſe malice is known to be as unquenchable as his Noſe) told him *he was a traitor to the Army*. You ſee now upon whom they meant to fix the *peoples allegiance*, (for where no *allegiance* is due, there can be no *Treaſon*) and to what purpoſe they have ſince by their 4 Votes (firſt debated between the *Independent Grandees* of the Houſes and army) laid aſide the King, and (as much as in them is) taken off our allegiance from him.

Col. *Birch* formerly imployed for *Ireland* by the Parliament, was impriſoned, and his men mutinied againſt him by the army, and Sir *Sam. Luke* reſting quietly in his own houſe, was there ſeized upon, and carried Priſoner into the Army.

All theſe acts of terror were but ſo many ſcare crowes ſet up to fright more Presbyterians from the Houſes, and make the army maſters of their Votes.

38. Proceedings of both Houſes under the power of the Army.

I muſt in the next place fall upon the Proceedings in both Houſes, acted under the power and influence of this all-inſlaving, all-devouring army, and their engaged party; to attain the knowledge whereof, I have uſed my utmoſt induſtry and intereſt with many my near friends, and kinſmen ſitting within thoſe Walls, heretofore (when *Kings*, not *Brewers* and *Draymen*, were in power) the walls of publick Liberty.

39. Ordinance to Nul and Void all Acts paſſed in abſence of the 2 runaga-de Speakers.

The Lords that ſate in abſence of the two Speakers (all but the Earl of *Pembrook*, whoſe eaſie diſpoſition made him fit for all companies) found it their ſafeſt courſe to forbear the Houſe, leaving

aving it to be poſſeſſed by thoſe few Lords that went to, and en-
ged with the Army: which ingaged Lords ſent to the Common
r their concurrence to an Ordinance, *To make all Acts, Orders*
d Ordinances, paſſed from the 26 July; (when the tumult was up
the Houſes) *to the* 6 *of* Auguſt *following* (being the day of the
gitive Members return) *Void and null* ab initio. This was five
ſix ſeverall days ſeverally and fully debated, as often put to the
eſtion, and carried in the Negative every time; Yet the Lords
ll renewed the ſame meſſage to them, beating back their Votes
to their throats, and would not acquieſce, but upon every de-
al put them again to roll the ſame ſtone, contrary to the privi-
ges of the Commons.

40. Menaces uſed by the engaged party in the Houſe.

The chief Arguments uſed by the engaged party were all groun-
d upon the Common places of fear and neceſſity: Mr. Solicitor
reatning if they did not concur, the Lords were reſolved to
ndicate the honour of their Houſe, and ſit no more; they muſt
ive recourſe to the power of the Sword; The longeſt Sword take
l. *That they were all engaged to live and die with the Army.*
hey ſhould have a ſad time of it. *Haſlerigge* uſed the like lan-
uage, ſaying, *Some heads muſt flie off*; *and he feared, the Par-*
ament of England *would not ſave the kingdome of* England, *they*
uſt look another way for ſafety. They could not ſatisfie the Ar-
y but by declaring all void ab initio; *and the Lords were ſo far*
gaged, that no middle way would ſerve. To this was an-
ered, *That this was an appeal from the Parliament to the Ar-*
y. And when theſe and many more threats of as high nature
ere complained of, *as deſtructive to the liberty and beings of Par-*
iaments, the Speaker would take no notice of it. Sir *Henry Vane*
unior, Sir *John Evelin junior*, *Prideaux*, *Gourdon*, *Mildmay*,
homas Scot, *Cornelius Holland*, and many more, uſed the like
hreats.

41. A threatning Remonſtrance from the army to the Houſe.

Upon the laſt Negative (being the fifth or ſixth) the Speaker
erceiving greater enforcements muſt be uſed, pulled a Letter out
of his pocket, *From the General and General Council of the Ar-*
ny (for that was now their ſtile) pretending he then received it;
but it was conceived he received it over night, with directions to
oncea l it; if the queſtion had paſſed the affirmative. It was ac-
ompanied with a *Remonſtrance* full of villanous language and
threats

threats againſt thoſe members that ſate while the two Speakers were with the Army, calling them *pretended Members*, charging them (in generall) with *Treaſon, Treachery, and breach of Truſt*; and proteſted, if they ſhall preſume to ſtir before they have cleared themſelves, that they did not give their aſſents to ſuch and ſuch Votes, they ſhould ſit at their peril, and he would take them as priſoners of War, and try them at a Council of War.

What King of *England* ever offered ſo great a violence to the fundamental Priviledges of Parliament, as to deny them the Liberty of voting *I* and *No* freely? Certainly the *little finger* of a *Jack Cade*, or a *Wat Tyler*, is far heavier than the *loyns* of any King.

Many Members were amazed at this Letter, and it was moved, *That the Speaker ſhould command all the members to meet at the Houſe the next day; and ſhould declare, That they ſhould be ſecured from danger: And that it might be ordered, That no more but the ordinary Guards ſhould attend the houſe.* But theſe two motions were violently oppoſed with vollies of threats, by the aforeſaid Parties and others. And after more than two hours debate, the Speaker refuſed to put any queſtion upon them, or any of them; and ſo adjourned to the next morning, leaving the *Presbyterian Members* to meet at their Peril.

The next day being Friday, the 20. *Auguſt*, there was a very thin Aſſembly in the Houſe of Commons, the Houſe having with ſo much violence denyed protection to their Members the day before, made moſt of the *Presbyterian* party abſent. Some went over to the *Independent* party: others ſate mute. At laſt a Committee was appointed preſently to bring in an *Ordinance of Accommodation*; which was ſuddenly done and paſſed, and is now printed at the latter end of the ſaid menacing *Remonſtrance* of the Army: a Child fit to wait upon ſuch a mother.

Accurate in paſſing the Ordinance of null and void.

Thus was this *Ordinance of null and void* gotten (which hath been the cauſe of ſo much danger and trouble to multitudes of people) by the Lords reiterated breaches upon the Privileges of the Houſe of Commons: The engaged parties threats within dores: The Armies thundring Letters and Remonſtrance, Their Guard-

Guards upon their doors, and a Regiment or two of Horſe in *Hide Park*, ready to make impreſſions upon the Houſe in caſe things had not gone to their minds: diverſe of whoſe Commanders walking in the Hall, enquired often how things went: proteſting, *they would pull them forth by the Ears if they not did give ſpeedy ſatisfaction.*

Thus for the *manner* of paſſing that Ordinance.

The *matter* of argument uſed againſt it was (as far as I can hear) to the purpoſe following: It was alleged that the Force upon Monday, 26. *July*, ended that day, that the next day being Tueſday, the Houſe met quietly, and adjourned: that upon Friday following, the Houſes ſate quietly all day, and gave their Votes freely, and ſo forward; the City having ſufficiently provided for their ſecurity, that the tranſient force upon Monday, could have no influence on the Houſes for time to come.

That the Supreme power of no Nation can avoid their own Acts by pretended force: this would make the Common people, the Jurors, and Judges, to queſtion all Acts done in Parliament, ſince one man can, and may judge of force as well as another: this were to bring the Records of the Houſe into diſpute: *Magna Charta* was never gotten nor confirmed but by Force: Force was three-fold, *upon one, or both Houſes; or upon the King, in giving his Royal aſſent*; neither could plead it: the Parliament is preſumed to conſiſt of ſuch men as dare lay down their lives for their Country.

When the King came with force to demand the 5. Members. When the City came down crying for juſtice againſt the Earl of *Strafford*: When the Women came down crying for Peace: When the Reformadoes came down in a much more dangerous Tumult then this of the unarmed Apprentices; yet the Houſes continued ſitting and acting, and none of their Acts were nullified.

That to make their Acts, Orders, and Ordinances void *ab initio*, would draw many thouſand men, who had acted under them, into danger of their lives and fortunes, who had no Authority to diſpute the validity of our Votes: we muſt therefore give them power to diſpute our Acts hereafter upon matter of fact. for to tie men to unlimited and undiſputable obedience to

our

our Votes, and yet to puniſh them for obeying whenſoever we ſhall pleaſe to declare our acts void, *ab initio*, is contrary to all reaſon. If to act upon ſuch Ordinances were criminal, it was more criminal in thoſe that made them. And who ſhall be Judges of theſe that made them? not the Members that went to the Army; They are parties pre-ingaged to live and die with the Army; and have approved the *Armies Declaration*, calling thoſe that ſate, *a few Lords and Gentlemen, and no Parliament*: They have joyned with a power out of the Houſes to give a Law to, and put an engagement upon both Houſes, a preſident never heard of before, of moſt dangerous conſequence, it takes away the liberty of giving *I* and *No* freely, being the very life of Parliaments: If all done under an actual force be void, it is queſtionable whether all hath been done this four or five years be not void; and whether his Majeſties Royal aſſent to ſome good Bills paſſed this Parliament, may not be ſaid to have been extorted by force. If the Kings party prevail, they will declare this Parliament void, upon the ground your ſelves have laid, 1. *Hen.* 7. that King urged the Parliament to make void *ab initio*, all Acts paſſed *Rich.* 3. which they refuſed upon this ground, that then they ſhould make all that had acted in obedience to them liable to puniſhment, only they repealed thoſe Acts.

Fabian's Hiſtory.

The debate upon this Ordinance *of Null and Void*, held from Monday, 9. of *Aug.* to the 20. *Aug.* (when it was paſſed) but not without ſome interloaping debates of ſomething a different nature, yet all looking the ſame way; occaſioned by *Meſſages* from the Lords: Namely, once upon a Meſſage from them,

43. The Lords Meſſage to the Commons to approve the Declaration of the Army.

The ſaid *Declaration* from Sir *Thomas Fairfax* and his army, concerning their *advance to London* was read and debated in groſſe, whether the Commons ſhould concur with the Lords in approving it? But almoſt all but the ingaged party and their penſioners diſtaſted it, it was laid by without any queſtion put, leſt it ſhould prove dangerous to put a Negative upon their Maſters of the army. Yet many menaces (according to cuſtome) were uſed by the engaged party to get it paſſed: *Haſtrigge* affirming that thoſe Gentlemen that ſate and voted for a *Committee of Safety*, and the Kings comming to *London*, did drive on the deſign of the *City Proteſtation* and *Engagement*. To which was anſwered, *That the Committee*

44. The Committee of ſafety.

Committee of ſafety was not then newly erected by thoſe which ſate but of the old Committee, revived by that Vote, which had been long ſince erected in a full and free Parliament, when the Army firſt mutined, and threatned to march to London, *and for the ſame ends, defence of Parliament and City; and for the Kings coming to* London, *it was Voted onely to get him out of the power of the Army; as formerly in a full and free Parliament he had been voted to* Richmond *for the ſame reaſon.*

Upon another Meſſage from the Lords, the Commons concurred in an Ordinance to erect a Committee of Examination; to inquire into, and examine the *City Petition, Engagement, and the force upon the Houſes 26. July.* & all endeavours to raiſe any forces, &c. This Committee conſiſted of 22. Commons beſides Lords, almoſt all of them Members engaged with the Army; but becauſe there were ſome three or four Presbyterians gotten in amongſt them, to ſhut theſe *Canaanites* forth, that the Godly, the true ſeed of *Iſrael* might ſhuffle the cards according to thei own mind, the 13. *Auguſt* after (upon another Meſſage from the Lords) there was a Sub-Committee of Secrecy, named out of this Grand Committee of examination, to examine upon Oath; the perſons were the Earl of *Denbigh*, and *Mulgrave*, Lord *Gray* of *Wark*, Lord *Howard* of *Eſcrig*, Sir *Arthur Haſlerigge*, Mr. Solicitor, *Gourdon*, *Miles Corbet*, Alderman *Pennington*, *Allen*, *Edwards*, Col. *Ven*, or any three of them; all perſons engaged to live and die with the Army, and now appointed to make a clandeſtine ſcrutiny, and ſearch into the lives and actions of the Presbyterian Party that ſate in Parliament doing their duty, when the engaged party fled to the Army, and brought them up in hoſtile manner againſt them.

46. A Committee to Examine the Tumult.

46. A Sub-committee of ſecrecy ſelected to examine the Tumult.

The unreaſonableneſſe of this way of proceeding was much urged, and farther alleged, that *it was neither conſonant to the cuſtomes of the Houſe, nor unto common reaſon, that a Sub-committee ſhould be choſen out of the Grand Committee of Examinations, with more power then the Grand Committee it ſelf had, and excluding the reſt of the Committee under the preſence of Secrecie*; Beſides, *it was againſt the privilege of the Houſe of commons, that the Lords ſhould nominate the Commons in that ſub-committee as well as their own Members. But the Independent Grandees*

47. Debate upon paſſing the Committee of Secret examinations.

dees would have it paſſe. Breach of Privilege and all other conſiderations are eaſily ſwallowed when they are ſubſervient to their preſent deſigns.

48. The manner of proſecution & proceeding upon the Tumult.

The party engaged were reſolved to be *Examiners*, *Informers*, and *witneſſes*, as well as *Parties*; (ſo active was their malice) and had ſo well packed their Cards, that eight or nine Schiſmaticall Lords engaged likewiſe with them, and the army ſhould be Judges of the Presbyterian Party that ſate in abſence of the two Speakers, the better to give the two Houſes a through purge, and make them of the ſame complexion with the army: without which they had no hopes to divide the power and profit of the Land between themſelves by 100001. 200001. in a morning ſhared amongſt the Godly; and to make the whole Kingdome to be *Gibeonites*, hewers of wood, and drawers of water to the faithfull.

49. *Miles Corbet* makes report of Examinations taken at the Cloſe Committee: Firſt, againſt the Committee of Safety.

In order to the playing of this game, *Miles Corbet* (Interpreter to the *State-puppet-play* behind the curtain, commonly called *The Cloſe Committee of Examinations*) upon the third of *September* ſtood up and began his Report from that Inquiſition, ſaying, *He would begin with the Committee of Safety, wherein many Members were concerned, and it was neceſſary to purge the Houſes firſt.* But further ſaid, *he would ſuppreſſe the names of many of his Witneſſes, becauſe the Depoſitions he ſhould report were but preparatory Examinations, and it would be for ſervice of the State to conceal their names.*

He firſt produced many Warrants ſigned at the *Committee of Safety* by the Earls of *Pembroke*, *Suffolk*, *Middleſex*, *Lincoln*, Lord *Willoughby* of *Parham*, *Maynard*, Mr. *Hollis*, Sir *Phi. Stapleton*, Sir *William Waller*, M. *Long*, M. *Nichols*, Sir *William Lewis*, Mr. *Baynton*.

Againſt Maſter *Baynton*.

Next, *Corbet* reported, *he had a Witneſſe who depoſed that a Gentleman with a Red head ſigned many Warrants, ſuppoſed to be* Maſter *Edward Baynton*; at length after much wyer-drawing of the buſineſſe, one Warrant was ſhewn to Maſter *Baynton*, which he confeſſed to be his hand. And preſently *Haſlerigg* moved that Maſter *Baynton* might forthwith Anſwer; againſt which was objected, *That ſince theſe were but preparatory Examinations, not legal proofs, no man was bound to anſwer them; otherwiſe a man*

ſhall

ſhall be put to as many ſeveral anſwers as ſeveral new matters of Charge come in againſt him, and ſhall day by day be liable to new vexations, and never know when he hath cleared himſelf. But *Corbet* (who of an examiner was now become the Kings Solicitor, or Advocate Criminal) moved to proceed to Judgement againſt him: but firſt to aske him ſome preparatory queſtions. But it was anſwered, that it was illegal to ſqueeſe examinations out of a mans own mouth; neither was a man bound to anſwer, where his words may condemn, but not abſolve him: for ſo much as depends upon the teſtimony of Witneſſes againſt this Gentleman, you cannot proceed unleſs he be by, and have liberty to put croſs queſtions to the Witneſſes. It is alleged, Warrants were ſigned, and all done in relation to a new War. It is anſwered, it was done in order to Self-defence (allowed by the Laws.) Long before this occaſion, when the Army firſt mutinied and threatned to march up to *London*, and uſe ſuch extraordinary means againſt *the Parliament and City* as God had put into their hands, you then in a full and free Parliament appointed a Committee of Safety for your defence, who ſate and acted. This Committee was but the ſame revived, and upon the like or worſe threats and menaces, as by the many printed papers from the army will appear; you have no Teſtimony againſt this Gentleman by name, but only a character of his Hair: and for ſigning the Warrant confeſſed by himſelf he is acquitted by the *Proviſo* of the Ordinance 20. *Auguſt* laſt, which excepted only ſuch as acted upon the force; but when the Committee of Safety was revived, the Parliament was freer from force then it is now. Mr. *Baynton* notwithſtanding, was adjudged to be ſuſpended the Houſe during pleaſure of the Houſe, which is as much as to ſay, *So long as the Tyranny of this Domineering Faction laſteth.*

The 4. of *Sept. Corbet* reported he had a Witneſs (but named him not, becauſe they were but preparatory examinations) who depoſed, that an elderly Gentleman, of low ſtature, in a Gray ſuit, with a little ſtick in his hand, came forth of the Houſe into the Lobby when the tumult was at the Parliament door, and whiſpered ſome of the Apprentices in the ear, and encouraged hem, (ſuppoſed to be Mr. *Walker.*) Mr. *Walker* denied he ſpake hen with any man in the *Lobby*, or ſaw any face that he knew there:

Againſt Mr. *Walker.*

there; and ſo neglected the buſineſs as a thing not conſiderable. But the next day *Corbet* moved that Mr. *Walker* might be ordered to put on his Gray ſuit again, and appear before the Cloſe Committee, and the Witneſs, who ſaith, *he knoweth him again if he ſee him.* I hear Mr. *Walker* deſired to know (ſeeing the Witneſs had not named him) by what Authority the examiners ſhould take ſuch a Depoſition, and make application thereof to him; And ſeeing there were many Gentlemen in the Houſe that day with whom that Character agreed as well as with himſelf, why the Reporter did not move that all to whom that Character was appliable might be put to that teſt as well as himſelf, but ſingle him out for a mark to ſhoot at; complaining, that he was not ignorant out of what quiver this Arrow came: he had been threatned with a revenge by ſome of that Cloſe Committee, and had other Enemies amongſt them, that could bite without barking. He told them that yeſterday Mr. *Corbet* reported that the ſuppoſed old man whiſpered, &c. but deſired thoſe that were then in the Houſe to call to mind that the noiſe was then ſo great in the *Lobby*, that no whiſper, nay the loudeſt words he was able to ſpeak could not be heard. Then *Corbet* changed his Tale, ſaying, the words were, *What you do, do quickly*; and were ſpoken aloud; and ſaid the Character agreed beſt with Mr. *Walker*, for that the Deponent ſaid, the Gentleman was a Lean meager man.

Here Mr. *Walker* deſired the Houſe to take notice, that the Reporter had twice varied his Report. 1. In the words ſpoken, from a *whiſper* to *loud ſpeaking*. 2. In the Character inlarged with the words *lean and meager*. Here is hail-ſhot provided, if one miſs the other muſt hit; Yet with this addition, there were divers in the Houſe with whom the Character agreed as well as with himſelf. And by the incivility of his words, it ſhould ſeem the Witneſs is a man of no breeding; wherefore he deſired to hear his *name*, that he might inquire of his credit and repute. If the Reporter thinks he may be practiſed, he doth not think him a man of honeſty, and then he had more cauſe to ſuſpect him. He farther complained, that to make Hue and Cry after him (as it were upon freſh ſute) upon a Character of his perſon and cloaths five or ſix weeks after the ſuppoſed fact (he never having abſen-

ted

ted himſelf one day from the Houſe) ſavoured too much of a party overſwayed with malice and revenge.

Your Cloſe Committee of Examination carry on buſineſſes ſo in the dark (being parties engaged with the Army, and not ſworn to be true in their office) that no man can ſee how to defend himſelf, or how he is dealt with, or when he is free from trouble and danger. It ſeems we are here called *ex tempore* to anſwer for our lives, *ore tenus*; and our Accuſation beginneth with the Examination of our perſons, to make us ſtate a Charge againſt our ſelves, to betray our ſelves, and cut our own throats with our tongues, contrary to *Magna Charta*, *the Petition of Right*, and all thoſe Laws of God and Man, which in the Kings time were in uſe; and no Witneſſes are produced, nor ſo much as named: methinks therefore we are compelled to play at *blind-man bough* for our lives, not ſeeing who ſtrikes us. You have the moſt ſummary way of hanging one another that ever I ſaw; it is a kind of *Star-chamber* proceeding in matter of life and death; your ſecret Examinations ſavours ſo much of the *Spaniſh inquiſition*, and of the *Council of troubles* erected by the Duke *d' Alva* in the *Low-countries* (called *Conſilium Sanguinis*) that they can never agree with the *Laws and Nature of our Nation*: if our Kings ſhall imitate you hereafter, they will be the greateſt Tyrants in the World. Formalities and Privileges of Court, derogating from the common Rules of Law, and practice of the Land, are but curtains drawn before oppreſſion and tyranny to dazle mens eyes. Give me leave to tell you, that I have ſerved you faithfully from the beginning, and have taken as much pains, and run as many hazards, as moſt men in your ſervice, wherein I have loſt my health, and above 7000l. of my Eſtate, without one penny compenſation, as other men have had; nor have I laid my hand upon any mans money or goods, or had any gainfull imployment from you; I contented my ſelf to ſerve my Country *gratis*, and with ſome little honour I had gotten thereby, whereof you have now robbed me, by a roving Accuſation ſhot at randome at me. Had I cheated the State of 40000l. or 50000l. peradventure I might have been thought a Godly, confiding man, of right principles, and have had 10000l. given me for my pains. *Sir*, You have heard the voice of a Free-man (not of a ſlave) that dares keep his firſt Principles,

Religi-

Religion, Laws, and juſt liberties, whoſoever lays them aſi
and proteſt againſt Tyranny and oppreſſion, whereſoever he fi
it, whether in the Government of *one* or *many*. You may mur
me by the Sword of Juſtice, but you cannot hurt me: but deli
me from the evils to come. Nor ſhall I be unwilling to ſuffe
Gaol-delivery of my Soul from the priſon of my body whe
am called to it.

When Mr. *Walker* had done his defence, the debate follow
much to this purpoſe, *That to order him to appear in his Gray*
before the Cloſe Committee and Witneſs was illegal, and againſt
Laws and Liberties of the Subject.

1. *It is to help another to accuſe himſelf; which is all one as if*
did accuſe himſelf.

2. *To bid a Witneſs look upon a man* (after he is engaged to na
ſome body) *is to prompt him to go no farther then the party ſhew*

3. *A Witneſs ought not to be twice examined againſt a man,* t
is, *to draw him on by degrees to ſwear home, and to mend in his ſec*
Depoſition what fell ſhort in his firſt.

4. *If the Witneſs firſt depoſe to the matter, not naming the par*
and five or ſix weeks after declare the Perſon without Oath, this i
Depoſition, and if the Oath be renewed, the Witneſs is twice exa
ned: So the buſineſs was laid by, and *Corbet* allowed to ſh
Mr. *Walker* caſually as he could meet with him to his Witn
which was (in a manner) to draw dry-foot after him with his blo
hound.

I was the more curious in gathering the circumſtances of t
buſineſs out of the reports of many ſeveral men, in regard of
rareneſs of the caſe, and the exquiſitneſs of the malice w
which it was proſecuted. And it ſeemed to me the more admi
ble, becauſe I hear generally that Mr. *Walker* hath always b
oppoſite to all parties and factions, both *Presbyterian* and *In*
pendent, upon whom he looks as the common diſturbers both
Church and Common-wealth, and enemies of peace. Nor co
he ever be perſwaded to be at any of their *Junto's* or ſecret m
tings; and therefore it is not probable he ſhould ſuddenly anc
the open view of the Houſe go forth and engage with a comp
of ſilly unarmed Apprentice Boys. But I hear they cannot
dure his ſeverity, nor he their knavery. What will not the mal

of a deſperate Anabaptiſtical faction attempt? they have long ſported in the blood and treaſure of the Land, as the *Leviathan* doth in the Waters; and do now keep up a a numerous army to carry on thoſe deſigns by force, which they can no longer make good by fraud. All *England* is become as *Munſter* was, and our *Grandees* ſuitable to *John of Leydon* and *Knipperdoling*.

The next report *Corbet* made concerning Mr. Recorder *Glyn*. The chief things objected were, *That he had frequented the Common Council, the Committees of the Militia and Safety, more then he was wont to do: That he was ſilent and made no oppoſition; and that he gave thanks to the Apprentices when they delivered their Petition to the City, offering their help for defence thereof againſt whomſoever.* Againſt Mr. Recorder *Glyn*.

The Recorder anſwered, *The Charge was long, and his Memory ſhort: He deſired time to examine his memory, concerning the circumſtances of time, place, perſons and other matters; and that he might examine Witneſſes for clearing his innocency.* But his proſecutors (hoping to do more good upon him by way of Surprize, then in a deliberate and legal way of proceeding) put him upon it to anſwer *ex tempore*. He confeſſed and avoided ſome things, but denied the moſt material. He denied he was more frequent at their meetings then ordinary. For his ſilence, he alleged, he was but the Cities ſervant, and had no voice amongſt them, but when his opinion was demanded: That he gave thanks to the Apprentices as a ſervant by command, yet had mixed ſome admonitions and reprehenſions in his Speech to them.

So the Recorder withdrew. And preſently *Haſlerig* (according to his cuſtome) moved judgment might be given againſt him. To which was anſwered, that the Recorder denied the principal parts of his Charge; and offered proofs by Witneſſes: you muſt give him that leave, or take all parts of his ſpeech for granted as well that makes for him, as againſt him. Two or three days more will make this buſineſs ripe for judgment: let him have one judgment for all. If you judge him now to be expelled the Houſe, he is already forejudged, and that will be a leading caſe to a farther judgment: for who dares acquit where you have condemned? A man ought to be but once judged upon one accuſation. The diſhonour of expulſion is a puniſhment exceeding death,

death, If you judge now upon one part of the Accuſation, and hereafter upon another part of the Accuſation, he will be twice condemned upon one Accuſation, and ſhall never know when he hath ſatisfied the Law, and endleſs vexation.

Yet *Haſlerig* moved he might receive judgment now, for what was already proved or confeſſed, to be expelled the Houſe, (ſaying, *The Lords went on without obſtruction in their buſineſſes, becauſe they had purged their Houſe*) and that he might be farther impeached hereafter upon farther hearing. So he was adjudged to be diſcharged the Houſe, committed to the Tower, and farther impeached hereafter.

Againſt S. *John Maynard.*

Sir *John Maynard* the ſame day was called to Anſwer. He deſired a copy of his Charge, with leave to Anſwer in writing by advice of Counſel, as the 11. Members formerly did; to examine Witneſſes on his part, and croſs examine their Witneſſes. But theſe requeſts were denied, & he commanded to Anſwer *ex tempore*. He gave no particular Anſwer, but denied all in general: as Col. *Pride* (whom he cited for his preſident) had formerly done at their Bar. He was adjudged to be diſcharged the Houſe, committed to the Tower, and farther impeached.

The like for Commiſſary General *Copley*, whoſe caſe differed little.

Againſt the 7. Lords.

The 8. of *Sept.* the Earls of *Suffolk*, *Lincoln*, *Middleſex*, the Lords *Berkley*, *Willoughby*, *Hunſdon*, *and Maynard*, were impeached of High Treaſon in the name of the Commons of *England*, *for leavying War againſt the King*, *Parliament*, *and Kingdom*. The Earl of *Pembroke* (then ſent to *Hampton Court* with the Propoſitions on purpoſe to avoid the ſtorm) was omitted untill Wedneſday following, and ſo had the favour to be thought not worth remembring.

Sir *John Evelin* the younger ſent up to the Lords with the *Impeachment*, and a deſire they might be committed. They were committed to the *Black Rod*; and ſo the engaged Lords had their Houſe to themſelves according to their deſires.

50. Schiſmatical Petitions.

The 14. *Sept.* A Petition from divers Schiſmaticks in *Eſſex* came to the Houſes, bearing this Title, *To the Lords and Commons in Parliament aſſembled, diſtinct from the Lords and Commons that ſate in abſence of the two Speakers.*

16. Sept.

16. *Sept.* a Petition from divers Sectaries of *Oxfordſh. Bucks, Berkſh.* was delivered to the Houſe againſt divers Members ſitting in the Houſe, *Enemies to God and Godlineſs, Enemies to the Kingdom, &c. Uſurpers of Parliamentary authority, who endeavoured to bring in the King upon his own Tearms.* They deſired *a free Parliament, and that* (according to the deſires of the Army) *thoſe that ſate when the Parliament was ſuſpended in abſence of Tythes, &c.* in it. Such another Petition came but the day before from *Southwark.*

Theſe Petitions were all penned by the engaged party of the Houſes and Army, and ſent abroad by Agitators to get ſubſcriptions. The deſign was to put the two parties in the Houſe into heights one againſt another, to make the leſſer party in the Houſe (*viz.* the ingaged party, but 59.) to expel the greater party, being about 140. whereby the Houſe might be low and baſe in the opinion of the people, and no Parliament, and ſo leave all to the power of the Sword. The Army daily recruiting, and thereby giving hopes to all looſe people, that the Army ſhould be their common Receptacle, as the ſea is the common Receptacle of all waters, becauſe thoſe who had no hopes to be Members of Parliament, might become Members of this Army. Beſides their plauſible way of prompting the people to Petition againſt Tythes, Encloſures, and Copy-hold fines uncertain, was to encourage them to ſide with the Army againſt all the Nobility, Gentry, and Clergy of the Land, (from whom the Army did moſt fear an oppoſition) and to deſtroy Monarchy it ſelf ſince it is impoſſible for any Prince, to be a King only of Beggers, Tinkers, and Coblers. The aim of theſe Petitions.

But theſe interloping diſcourſes omitted, let us again return to theſe prodigious Impeachments. The next in order comes in the Lord Mayor, Aldermen and Citizens, with whom ſhort work was made. Impeachments were ſent to the Lords againſt them, and they ſent to the Tower upon a bare report of the Inquiſitor-general *Corbet*, and the reading of ſome depoſitions, the Witneſſes names for the moſt part concealed, and none of them ſo much as called to the Commons Bar, to ſee what they could ſay for themſelves, contrary to *Magna Charta*, 29. *ch.* and contrary to 28. *Edw.* 3. enacting, *That no man ſhall be put out of his Land, &c. nor taken, nor Impriſoned, &c. or put to death, &c. without being brought* Againſt the Lord Mayor, Aldermen and Citizens.

brought to anſwer by due proceſs of Law. That is, according to the *Stat.* 42. *Ed.*3.*c.*3. *That no man be brought to anſwer without preſentment before Juſtices, or matter of Record, or by due proceſs, or writ original according to the old Law of the Land:* not according to new invented Articles of Impeachment, but according to thoſe Laws that were well known, and old in *Edw.*3. time: See *Stat.* 37. *Ed.*3.1. *Ed.*6. *ch.* 12.6. *Ed.*6. *c.*11. and the *Stat.*25. *E.*3. ſaith, *No man ſhall be taken by Petition or ſuggeſtion made to the King or his Counſel, &c.* and the Houſe of Peers is no more but the Kings Counſel, as anon I ſhall make evident.

51. Arguments againſt impeachments before the Lords.

It was moved by divers, that theſe Gent. might be tryed according to Law at the Kings Bench, by a Jury of twelve men *de vicineto*, their Peers and Equals to judg of matter of fact: alleging that the Common Law was the Birthright of all the free People of *England*: which was one of the 3. Principles for which the Parliament ſo often declared in print that they fought, and for defence whereof they had entered into a covenant, *with their hands lifted up to God:* the other two principles were *Religion* and *Liberties.*

1. *The Lords were not Peers to the Commoners: At the common Law they ſhall have ſworn Judges for matter of Law, of whom they may ask queſtions in doubtfull points, nor can they be Judges in their own caſes.*

2. *They have ſworn Jurors of the Neighbourhood for matter of fact, whom they may challenge.*

3. *The known Laws and Statutes for Rules to judg by, which in caſe of Treaſon in the* Stat. 25. Ed. 3. *you cannot Vote nor declare a new Treaſon:* And if you could, *to do it* Ex poſt facto, *is contrary to all rules of juſtice:* The Apoſtle ſaith, *ſin is a breach of a Commandment* (or Law) *I had not known ſin but by the Law*: the Law therefore muſt go before the Sin.

4. At the Common Law, *They have Witneſſes openly and newly examined upon Oath before the accuſed's face, who may except againſt them and croſs examine them.*

5. *Even in Star-chamber and Chancery* (where only hearings are upon Teſtimonies) *the Examiners are ſworn Officers.*

6. *A man hath but one Tryal and Judgment upon one accuſation:* ſo that he knows when he hath ſatisfied the Law.

In this way of proceeding, all theſe neceſſary legalities are laid by;

by; and theſe Gentlemen have not ſo much fair play for their Lives and Eſtates, as *Naboth* had for his Vineyard: he had all the formalities of the Law; yea, he had Law it ſelf; yet he had not juſtice, becauſe they were the ſons of *Belial* that were ſet before him: what ſhall we conceive theſe Witneſſes are that do not appear? nay, whoſe very names are concealed? yet *Naboth* was murdered by the ſword of Juſtice: for the honour of Parliaments give not the People cauſe to ſuſpect theſe Gentlemen ſhall be ſo too: *non recurrendum ad extraordinaria, quando fieri poteſt per ordinaria.*

52. Arguments proving the Lords to have no power of Judicature over the Commons.

But all this was but to charm a deaf Adder; the nine or ten engaged Lords that then poſſeſſed the Houſe, were thought to be fitter than a jury of *Middleſex* to make work for the hang-man, and yet they have *no Judicature over the Commons*, as appears by the Preſident of Sir *Simon de Berisford, william Talboys and the* City of *Cambridge*. Note that one preſident againſt the Juriſdiction of a Court is more valued than a hundred for it: becauſe the Court cannot be ſuppoſed ignorant of the Law, and its own rights; but a particular man or Client may: ſee Sir *John Mayard's Royall quarrel, and his Laws ſubverſion*, Lieutenant Col. *Lilburn's Whip for the preſent Houſe of Lords*, and Judge *Jenkins Remonſtrance to the Lords and Commons of the two Houſes of Parliament*, dated 21 *Feb.* 1647. As for the caſes of *Weſton, Gomenes*, and *Hall*, (cited by Mr. *Pryn.*) they were for facts done beyond ſea, and before the *Stat.* 1. *Hen.* 4. *ch.* 14. whereof the Common Law could then have no connuſance, and therefore an extraordinary way of proceeding before the Lords was requiſit, and by the Kings ſpecial authority it was done, without which (I dare boldly affirm) the Lords have no Judicature at all; which thus I make appear.

53. The Houſe of Peers no Court of Judicature at all properly and *per ſe*.

1. The King by delivering the Great Seal to the Lord Keeper, makes him *Keeper of his conſcience* for matter of equity; By His *Brevia patentia* to the *Judges of the two Benches and the Exchequer* the King makes them *adminiſtrators and interpreters of his Laws*: But he never truſts any but himſelf with the power of pardoning and diſpenſing with the rigor of the Law in Criminal caſes. And though the Lord Keeper is Speaker of the Lords Houſe of courſe, yet he *is no* Member of the Lords Houſe *virtute Officii*: the Judges

ges are not Members, but aſſiſtants only: ſo that no man in th Houſe of Peers, as he is ſimply a Peer, is truſted by the King ei ther with diſpenſation of Law, or Equity.

2. When a Peer of Parliament, or any man elſe is tried befo the Lords in Parliament criminally, he cannot be tryed by h Peers only, becauſe in acts of judicature there muſt be a Judge Su perior, who muſt have his inferiors miniſterial to him: therefo in the trial of the Earl of *Strafford* (as in all other trials upon li and death, in the Lords Houſe) the King grants his Commiſſio to a *Lord high Steward* to ſit as Judg, and the reſt of the Lords a but in the nature of Jurors. So that it is the Kings Commiſſio that Authoriſeth and Diſtinguiſheth them.

3. When a Writ of error iſſueth out of the Chancery to th Houſe of Peers, they derive their Authority meerly from th writ.

For the three Reaſons aforeſaid, the Houſe of Peers is no Cou of Judicature, without the Kings ſpecial Authority granted them, either by his writ, or his Commiſſion; and the Lords l their four Votes having denied all further addreſs or applicati to the King, have cut off from themſelves that fountain from whi they derived all their power; and all trials by Commiſſion mu be upon Bills or Acts of Attainder, not by *Articles of Impeach ment*, a way never heard of before this Parliament, and invente to carry on the deſigns of a reſtleſſe impetuous faction: Had th Faction had but ſo much wit as to try the Gentlemen by Commi ſion of *Oyer* and *Terminer* before Sergeant *Wild*, he would hav borrowed a point of Law to hang a hundred of them for his ow preferment.

Obſerve, that almoſt all the caſes cited by Mr. *Pryn* concernin the Peers trials of Commiſſioners were Authoriſed by the Kin upon the ſpecial inſtance of the Houſe of Commons; as for th Houſe of Commons, they never pretended to any power of Jud cature, and have not ſo much Authority as to Adminiſter an Oat which every Court of Pye-Poulders hath.

14. Blank impeachments dormant.

But this way of tryal before the pre-ingaged Lords and upo *Articles of Impeachment*, (which they keep by them of all ſort and ſizes fit for every man, as in *Birchin-lane* they have ſuit ready made to fit every body) was the surer means to brin

me

men to death, whom they feared living, had not a doubt of the Scots comming in taught them more moderation then their nature is uſually acquainted with; and to fright away, (at leaſt) put to ſilence the reſt of the Members with fear of having their names put in blank Impeachments; and that it might be ſo apprehended, *Miles Corbet* moved openly in the Houſe of Commons that they ſhould proceed with the Impeachments which were ready, nothing wanted but to fill up the Blanks, they might put in what names they pleaſed. This Inquiſitor General, this Prologue to the Hang-man, that looks more like a Hang-man then the Hang-man himſelf, hath ſince gotten a rich office of *Regiſter of the Chancery*, as a reward for his double diligence: Oh Sergeant *Wild* and Mr. *Steel* deſpair not of a reward.

Friday 27. *Sept.* the advice of Sir *Tho. Fairfax* and his Council of War was read in the Houſe of Commons, What ſtanding forces they ought to keep up in *England* and *Wales*, and what Garriſons; alſo what forces to ſend for *Ireland*; namely, for *Ireland*, 6000. foot, and 2400. horſe, out of the ſupernumerary looſe forces, being no part of the army; and for *England*, upon eſtabliſhed pay 18000. foot at 8d. *per diem*. 7200. horſe at 2s. *per diem* each Trooper, 1000. Dragoons, and 200. Fire-locks, Train of Artillery, Arms and Ammunition, to be ſupplied. The foot to be kept in Garriſons, yet ſo that 6000. may be readily drawn into the Field. Eſtabliſhment for the Army.

The Independent party argued, that the army were unwilling to go for *Ireland*, pretending their engagement to the contrary; If you divide or disband any part of your army, they will ſuſpect you have taken up your old reſolution againſt them, to disband the whole army: it is now no time to diſcontent them, when the Kings anſwers to your Propoſitions tend to divide you and your army, and the people are generally diſaffected to you.

The Presbyterian Party argued, that the engagement of the army ought to be no rule to the Counſels of the Parliament; otherwiſe new engagements every day may preſcribe the Parliament new Rules; we muſt look two ways. 1. Upon the people unable to bear the burthen. 2. Upon the army. Let us keep ſome power in our own hands, and not deſcend ſo far below the

the dignity of a Parliament, as to put all into the hands of the General and his Council of war. You hove almoſt given away all already. The army adviſeth you to keep up your Garriſons, then upon mature deliberation this Houſe formerly Voted: you have already made Garriſons manned with gallant and faithfull men, to whom you owe Arrears; to remove them, and place new Souldiers in their rooms, will neither pleaſe them, nor the places where they are quartered, who being acquainted with their old gueſts, will not willingly receive new in their rooms. Theſe men have done you as good and faithfull ſervice as any in the Army; and were ready to obey you and go for *Ireland*, had they not been hindred by thoſe, who under pretence of an engagement to the contrary (which they mutinouſly entred into) will neither obey you nor go for *Ireland*, nor ſuffer other to go Though you diſcharge theſe men without paying their Arrears, (which others of other principles will not endure) yet give them good words. If you will be ſerved by none, but ſuch as are of your new principles, yet conſider your Army are not all alike principled, and peradventure the old principles may be as good as the new for publick, though not ſo fit for private deſigns and purpoſes. You have paſſed an Ordinance, *That none that have born Arms againſt the Parliament ſhall be imployed*: If you disband all ſuch, your Army will be very thin; many have entred into pay there in order to do the King ſervice, and bring the Parliament low. There is no reaſon you ſhould keep up 1400 horſe more than you laſt voted to keep up, being but 5800 at which time 60000l. a month was thought an eſtabliſhment ſufficient both for *England* and *Ireland*. But now the whole charge of *England* and *Ireland* will amount to 114000l. a month, which muſt be raiſed upon the people, either directly and openly by way of aſſeſſement, or indirectly and cloſely, partly by aſſeſſements, & partly by free-quarter & other devices: nor will the pay of 2s. *per diem* to each Trooper, and 8d. to each foot Souldier enable them to pay their quarters. If you mean to govern by the Sword, your army is too little: if by the Laws and juſtice of the Land, and love of the people, your Army is too great: you can never pay them, which will occaſion mutinies in the army and ruine to the Country. Thus diſputed the Presbyterians, but to no purpoſe, it was carried againſt them.

Ob-

Obſerve that when the War was at the higheſt, the monthly tax came but to 54000l. yet had we then the Earl of *Eſſex's* Army, Sir *William Waller's*, My Lord of *Denbigh's*, M. Gen. *Poyntz's*, M. Gen. *Maſſey's*, M. Gen. *Laughorn's*, Sir *William Brereton's*, Sir *Th. Middleton's* Brigades, and other forces in the field, beſides Garriſons.

But now this army hath 60000l. a month, and 20000l. a month more pretended for *Ireland*; which running all through the fingers of the Committee of the army. 56. Monthly taxes.

That Kingdom (which is purpoſely kept in a *ſtarving condition* to break the Lo. *Inchequins* army, that *Ireland* may be a *receptacle for the Saints*, againſt *England* ſpews them forth) hath nothing but the envy of it, the ſole benefit going to this army. This 20000l. a month being a ſecret unknown to the common Souldiers, the *Grandees of the army* put it in their own purſes. 57. Ireland why kept in a ſtarving condition.

Moreover, this army hath ſtill a kind of free quarter, (under colour of lodging, fire and candle,) for who ſees not that theſe maſterleſs gueſts upon that intereſt continued in our houſes, do and will become Maſters of all the reſt? and who dares ask money for quarter of them, or accept it when it is colourably offered, without fear of farther harm? beſides, the army, (whoſe requeſts are now become Commands) demanded that they might have the leavying of this Tax, and that their accounts might be audited at the Head-quarters; and though the Officers of this army (to catch the peoples affections) encouraged them often to Petition the Houſes againſt Free-quarter, pretending they would forbear it, after an eſtabliſhment ſetled upon them; the uſe their party in the Houſe made of theſe Petitions, was to move for an addition of 20000l. or 30000l. a month, and then they ſhould pay their quarters, lodging, fire and candle, nay ſtable-room too excepted.

Here it is not amiſs to inſert a word or two of this villanous oppreſſion, Free-quarter; whereby we are reduced to the condition of conquered Slaves, no man being Maſter of his own Family, but living like Bond-ſlaves in their own Houſes, under theſe *Ægyptian Task-maſters*, who are ſpies and intelligencers upon our words and deeds, ſo that every mans table is become a ſnare to him. In the third year of King CHARLS, the Lords 58. Free-quarter.

and

and Commons in their Petition of Right (when not above 2000. or 3000. Souldiers were thinly quartered upon the people but for a moneth or two) complained thereof to his Majeſty as a great grievance, contrary to the Laws and Cuſtomes of the Realm, and humbly prayed as their right and Liberty, according to the Laws and Statutes of this Kingdom, that he would remove them, and that his people might not be ſo burthened in time to come, which his Majeſty graciouſly granted. Yet now we are ten thouſand times more oppreſſed with them, and if theſe quarterers offer violence or villanous uſage to any man in his houſe or family, or commit murder or felony, they are protected againſt the Laws and Juſtice of the Land, and *Triable only by a Council of War* at the Head-quarters, where a man can neither obtain juſtice, nor ſeek it with ſafety. So that we live under the burthen of a perpetual Army of 30000. or 40000. men, exempt from all but Martial Law, which frequently oppreſſeth, ſeldom righteth any man: witneſs *Oliver Cromwel's* taking of *Tompſon* (being no Souldier) from the Houſe of Commons door with Souldiers, impriſoning and condemning him at a Council of War, where he ſate Judg in his own cauſe, there being a quarrel between them; yet it was held Treaſon in the Earl of *Strafford*, to condemn the Lord of *Valentia* ſo, being a Member of his Army, becauſe it was in time of Peace, as this was. Many other examples we have of the like nature, and of this Army, enough to perſwade us, that theſe *vindicative Saints* will not govern by the known Laws of the Land, (for which they have made us ſpend our money and blood) but by Martial Law, and Committee Law, grounded upon Arbitrary Ordinances of Parliament, which themſelves in the firſt part of *exact Collections*, p. 727. confeſs, are not laws without the Royal aſſent.

59. Martial Law.

This Army hath been daily recruited without any Authority, far beyond the ſaid number or pay eſtabliſhed; the ſupernumeraries living upon free-quarter: and when complaints have been made thereof in the Houſe, the Army being quartered in ſeveral Brigades, ſupernumeraries have been disbanded in one brigade, &c. their Arms taken by their Officers, and ſhortly after they have been lifted again in another Brigade, and their Arms ſold again to the State, after a while to new Arm them. And of this ſort were

60. Cheats putup-on the State.

were thoſe Arms which being found in a Magazin in Town by ſome Zealots, and rumoured to belong to the City for the arming of Reformado's, were upon examination found to belong to *Oliver Cromwel:* ſo the buſineſs was buried in ſilence; for though the Kings overſights muſt be tragically publiſhed to the world, yet the haynous crimes of the godly muſt lie hid under the mask of Religion.

And though they have uſually taken free-quarter in one place, and taken Compoſition money for free-quarter in another place, ſome of them in two or three places at once 3s. a day, ſome ſo them 5s. for a Trooper, and 1s. a day, and 1s. 6d. for a foot ſouldier, whereby no arrears are due to them, but they owe money to the State, yet they have compelled the Houſes to ſettle upon them for pretended Arrears, 61. Arrears ſecur'd although the State ows them nothing.

1. The moity of the Exciſe (that they may have the Souldiers help in leavying it; although to flatter the people, the Army had formerly declared againſt the Exciſe.)

2. The moity of *Goldſmiths-hall.*

3. Remainder of Biſhops Lands.

4. The Cuſtomes of ſome Garriſons.

5. Forreſt Lands.

This Army brags *They are the Saviours* (nay Conquerours) *of the Kingdom.* Let them ſay when they ſaved it, whether at the Fight at *Nazeby*, or taking in of *Oxford*, and we will pay them according to the then liſt. And for all the recruits taken in ſince the reducing of *Oxford*, it is fit they be disbanded without pay, having been taken in without, nay, againſt Authority, to drive on wicked deſigns, and enthrall King, Parliament, City, and Kingdom.

24. *Decemb.* 1647. The two Houſes by their Commiſſioners preſented to the King (at *Carisbrook-Caſtle*) 4. Bills to be paſſed as Acts of Parliament, and divers Propoſitions to be aſſented to. They are all printed, ſo is his Majeſties anſwers to them, wherefore I ſhall need to ſay the leſs of them, only a word or two to two of the Bills. 61. 4. Dethroning Bils preſented to the King at *Carisbrook Caſtle.*

1. The Act for *raiſing, ſetling, and maintaining Forces by Sea and Land, within the Kingdoms of* England *and* Ireland, Wales, *&c.* (though it ſeems to be but for 20. years) deveſts the 63. Acts for the Militia.

King, his Heirs, and Succeſſors, of the power of the Militia for ever, without hope of recovery but by repealing the ſaid Act, which will never be in his nor in their power: for,

Firſt, it ſaith, *That neither the King, nor His Heirs, or Succeſſors, nor any other, ſhall exerciſe any power over the Militia by land or ſea, but ſuch as ſhall Act by authority and approbation of the ſaid Lords and Commons:* That is, *a Committee of State* of twenty or thirty *Grandees*, to whom the two Houſes ſhall transfer this truſt, being over-awed by the army, (for the ground-work of this Committee was laid by theſe words, though the Committee be erected ſince.)

And Secondly, it prohibiteth the King, His Heirs and Succeſſors, &c. after the expiration of the ſaid 20. years, to exerciſe any of the ſaid powers without the conſent of the ſaid Lords and Commons, and in all caſes wherein the ſaid Lords and Commons ſhall declare the ſafety of the Kingdom to be concerned after the ſaid 20. years expired, and ſhall paſs any Bills for raiſing, arming, &c. Forces by Land or Sea, or concerning Leavying of Money, &c. if the Royal aſſent to ſuch Bills ſhall not be given by ſuch a time, &c. then ſuch Bills ſo paſſed by the Lords and Commons ſhall have the force of Acts of Parliament without the Royal aſſent. Lo, here a foundation laid to make an *Ordinance of both Houſes* equall to an *Act of Parliament*, and take away the *King's Negative Voice*, if this be granted in one caſe, it will be taken in another, and then theſe ſubverters of our Religion, Laws, and Liberties, will turn their uſurpations into a legal Tyranny.

2. It gives an unlimited Power to the two Houſes to raiſe what Forces and what numbers for Land and Sea, and of what perſons (without exceptions) they pleaſe, and to imploy them as they ſhall judge fit.

3. To raiſe what Money they pleaſe for maintaining them, and in what ſort they think fit, out of any mans Eſtate. This is a Tax far more Arbitrary and unlimited then Ship-money, and the more terrible becauſe it depends upon the will and pleaſure of a multitude; who to ſupport their own tyranny, and ſatisfie their own hunger after other mens goods, may and do create a *neceſſity*, and then make that *neceſſity* the *law* and *rule* of their acti-

ons and our *ſufferings*: beſides, they are but our fellow ſubjects that uſurp this Dominion over us, which aggravates the indignity. If the 24. *Conſervators* of the *Peace* in *Hen.* 3. time, were thought a burden to the Commons, and called *totidem tyranni*; what will our *Grandees* prove when the *Power of the ſword* is theirs by *Act of Parliament*? Beſides, if the King give them his Sword, they may take all the reſt of the Propoſitions demanded without a Treaty.

The *Bill for adjournment of both Houſes to any other place, &c.* will enable the engaged party of the two Houſes and army to adjourn the two Houſes from time to time, to, or near the Head-quarters of the Army; where thoſe Members that refuſe to enter into the ſame Engagement, ſhall neither ſit with accomodation nor ſafety, and ſo be ſhaken off at laſt: this is a new way of *purging the Houſes*. Beſides, the Parliament following the motions of the Army, the King ſhall follow the Parliament, whereby the Army having both King and Parliament preſent with them, whatſoever attempt ſhall be made againſt the Army, ſhall be ſaid to be againſt the ſafety, and Authority of the King and Parliament, and a legal Treaſon, triable by Indictment, not a conſtructive Treaſon only triable before the Lords. 64. Bill for adjournment of the Parliament as well for Place as time.

Note this Meſſage to the King, *plus ſignificat quam loquitur*, though it holdeth forth but four Demands to open view, yet it includes five; for, if the King paſſe theſe four Bils, as Acts of Parliament, either he muſt do it by his perſonal preſence in the Houſe of Peers, or by His Commiſſion under the Great Seal; and ſo conſequently muſt confirm the Parliaments Great Seal, and all things done by it, (to the nullifying His own Great Seal at *Oxford*.) His perſonal preſence they will not admit; for, though they pretended heretofore they took up Arms to bring *the King to his Parliament*, yet now they continue in Arms *to keep Him from His Parliament*, leſt the preſence of the true Sun ſhould obſcure ſuch Meteors, and *Ignes fatui*, as they are. Though this may be Godly and Saint-like dealing, yet it is not plain nor fair dealing, *latet anguis in herba*, there is *Coloquintida*, nay death in the pot.

Monday 3 *Jan.* the *Kings Anſwer* to the ſaid *Bils* and *Propoſitions* was debated in the Houſe of Commons. And firſt, Sir *Thomas Wroth* (*Jack-Pudding* to *Prideaux* the Poſt-maſter) had his The Kings anſwer debated.

cue to go high, and feel the pulse of the House; who spake to this purpose, *That* Bedlam *was appointed for madmen, and* Tophet *for Kings: that our Kings of late had carried themselves as if they were fit for no place but* Bedlam: that his humble motion should consist of three parts.

1. *To secure the King, and keep him close in some inland Castle with sure guards.*

2. *To draw up Articles of Impeachment against him.*

3. *To lay him by, and settle the Kingdom without him; he cared not what form of Government they set up, so it were not by Kings and Devils.*

Ireton's speech. Then Commissary *Ireton* (seeming to speak the sense of the Army, under the notion of many thousand Godly men who had ventured their lives to subdue their enemies) said after this manner, *The King had denied safety and protection to his people by denying the four Bils; that subjection to him was but in lieu of his protection to his people; this being denied, they might well deny any more subjection to him, and settle the Kingdom without him: That it was now expected, after so long patience, they should shew their Resolution, and not desert those valiant men who had engaged for them beyond all possibility of retreat, and would never forsake the Parliament, unless the Parliament forsook them first.*

Cromwel's speech. After some more debate, when the House was ready for the question, *Cromwel* brought up the rear, and giving an ample Character of the valour, good affections, and godliness of the Army, argued; *That it was now expected the Parliament should govern and defend the Kingdom by their own power and resolutions, and not teach the people any longer to expect safety and government from an obstinate man, whose heart God had hardned: That those men who had defended the Parliament from so many dangers with the expence of their Blood, would defend them herein with fidelity and courage against all opposition. Teach them not by neglecting your own and the Kingdoms safety (in which their own is involved) to think themselves betrayed, and left hereafter to the rage and malice of an irreconcileable enemy whom they have subdued for your sake; and therefore are likely to find His future Government of them insupportable, and fuller of Revenge than Justice, lest despair teach them to seek their safety by some other means then adhering to*

ou, who will not ſtick to your ſelves; and how deſtructive ſuch a re-olution in them will be to you all, I tremble to think, and leave you to dge.

Obſerve, he laid his hand upon his Sword at the latter end of is ſpee h; that Sword which being by his ſide could not kee, him om trembling when S. *Philip Stapleton* baffled him in the Houſe f Commons.

This concluding Speech having ſomething of menace in it, was hought very-prevalent with the Houſe.

The firſt of the four queſtions being put, *That the two Houſes hould make no more Addreſſes nor Applications to the King*; the louſe of Commons was divided, 141. *yeas* to 91. *noes*, ſo it was arried in the Affirmative. The 4. Bils for no addreſſes nor applications paſſed.

The other three Votes followed theſe Votes with facility: See hem in print. Upon the laſt of theſe 4. Votes the Houſe was di-ided, and candles were Voted to be brought in only to tell the louſe; yet (contrary to the ſaid Order) when the candles were ,they proceeded farther, as followeth:

67. The Comm't-tee of Safety revived.

The Members had been locked into the Houſe of Commons om before nine of the clock in the morning to ſeven at night, nd then the doors were unlocked, & what Members would, ſuf-ered to go forth, whereby many Presbyterians thinking the Houſe ad been upon riſing, departed, when preſently (the Houſe being rown thin) the Vote to revive the Committee of both Kingdoms alled *the Committee of ſafety at* Darby-houſe, paſſed by Ordi-ance dated 3. *Jan.* 1647. in theſe words; *Reſolved, &c. That he powers formerly granted by both Houſes to the Committee of both Kingdoms*, (viz. England *and* Scotland) *in relation to the two Kingdoms of* England *and* Ireland, *be now granted and veſted in he Members of both Houſes onely that are of that Committee, ith power to them alone, to put the ſame in execution.* The original Ordinance that firſt erected this Committee, and to which this aid Ordinance relates, beareth date 7. *February* 1643. in which he Engliſh Committees were appointed from time to time; to ropound to the Scotiſh Commiſſioners whatſoever they ſhould eceive in charge from both Houſes, and to make report to both louſes, to direct the managing of the War, and to keep good orreſpondency with forein States, and to receive directions from

from time to time from both Houſes, and to continue for three months and no longer. But this Ordinance, 3. *January* 1647. veſts the ſaid power in the Members thereof onely, and alone: words excluding the two Houſes; and for a time indefinite.

* There were then added to this Committee, *Nathaniel Fiennes*, in place of Sir *Phil. Stapleton*; Sir *John Evelin junior*, in place of M. Recorder; and the Earl of *Kent*, inſtead of the Earl of *Eſſex*, 22. *Jan.* following, the Lords ſent down a Meſſage for a farther power to this Committee, which was granted in theſe words, *Power to ſuppreſs Tumults and Inſurrections in* England, *&c. and at* Barwick; *and for that purpoſe the Committee to have power to give Orders and Directions to all the Militia and Forces of the Kingdom.* The addition of four Lords and eight Commoners likewiſe to this Committee was deſired, but denyed.

* The Members of this Committee are now, the E. of *Northumberland*, *Robert* E. *of Warwick*, *the* E. *of Kent*, *Ed.* E. *of Manchester*, *Wil.* L. *Say* and *Seal*, *Phil.* L. *Wharton*, *Jo.* L. *Roberts*, *Will. Pierrepoint*, Sir *Hen. Vane* ſen. Sr. *Gilbert Gerrard*, Sr. *Wil. Armine*, Sr. *Ar. Haſlerig*, Sr. *Hen. Vane* jun. *Jo. Crew*, *Rob. Wallope*, *Oliver* St. *Johns*. Sol. *O. Cromwel*, *Sa. Brown*, *Nath. Fiennes*, Sr. *Jo. Evelin.* jun.

68. *Whitehall* and the *Mews* Garriſoned.

Friday 14. *January*, after a long debate, it was ordered that Sir *Lewis Dives*, Sir *John Stowel*, and *David Jenkins*, be tryed as Traytors at the Kings Bench; the Grand Jury had found the Bill againſt *Jenkins*. Mr. Solicitor, &c. appointed to manage this buſineſs, * but *Jenkins* is ſo great a Lawyer, that the Solicitor durſt not venture upon him, the long ſword being more powerfull in his mouth then the Law; wherefore the Solicitor found an Errour in the indictment, turned him back again upon the Houſe to be impeached before the Lords, to whoſe Juriſdiction he pleaded: ſo the Solicitor put the affront from himſelf upon the Houſes. It was now twelve of the clock, and many of the Independent party began to cry, *Riſe, riſe*; The Presbyterians thinking all had been done, many went to Dinner, yet the Independents ſate ſtill, and finding the Houſe for their turn, moved, *That a Letter might be forthwith ſent to* Sir *Thomas Fairfax*, *to ſend a convenient number of Foot to Garriſon* White-hall, *and a party of Horſe to quarter in the* Mews. The Lords concurrence was not deſired to this Vote, but the Letters immediately drawn and ſent.

* See Judge *Jenkins*'s Remonſtrance to the Lords and Commons of Parliament, 21. *Feb.* 1647.

Obſerve, that before this Vote paſſed, divers forces were upon

on their March towards the Town, and came to *White-hall* Sa-
rday following by eight of the Clock in the morning.

69. The Armies Declaration, thanking the Commons for their 4. Votes.

Saturday 15. *Jan.* The army ſent a Declaration to the Houſe of
ommons, *Thanking them for their 4. Votes againſt the King*, pro-
iſing them *to live and die with the Commons, in defence of them a-
inſt all Opponents.*

Many of the Lords had argued very hotly againſt the ſaid four
otes, inſomuch that it was 10. Lords to 10. but this engagement
he army, and the unexpected garriſoning of *White-hall*, and the
ews, turned the ſcales; ſo that they paſſed the ſaid 4. Votes, on-
dding a ſhort preamble (little to the purpoſe) holding forth
e reaſons for paſſing them, to which the Commons, when they
ne down, aſſented. When preſently (about twelve of the clock
Houſe being thin) *Dennis Bond* moved, *That whoſoever ſhould
againſt thoſe 4. Votes, or incite other to act againſt them, ſhould
mpriſoned and ſequeſtred.*

70. The Lords paſs the 4. Votes.

Three or four days after the Lords had paſſed the ſaid 4. Votes,
Army vouchſafed to ſpit thanks in their mouthes, and make
ch of them. Theſe 4. Votes were generally ſiniſterly taken, and
ed mens minds with ſuſpicion, what form of Government the
andees would ſet up, now they had laid by the King; and every
ns mind preſaged a new War, which they conceived the Inde-
ident grandees were willing to have, to colour their keeping
this army, and raiſing money to maintain them, and every man
an to lay the project of a new war at their door; notwithſtand-
, (by way of prevention) they had Impeached divers Members,
Citizens of *London*, for endeavouring a new War, when they
but raiſe men for their ſelf-defence.

71. The Army thanks the Lords.

To ſhew the people therefore the reaſons of theſe 4. Votes,
Independent Grandees appointed a committee to ſearch in-
he Kings converſation and errors of his Government, and
liſh them in a Declaration to the World: wherein they ob-
ted many high crimes againſt Him concerning His Fathers
th, the loſs of *Rochel*, and the Maſſacre and Rebellion in
land: which upon debate in the Houſe, were very much mo-
ated by the Presbyterians; of which Declaration I will only
, that they have ſet forth no new matter therein, which they
e not formerly publiſhed in parcels, ſince which time they
have

72. The Declaration againſt the King.

have taken, and cauſed others to take the National Covenant, whereby *they vow to maintain the Kings Perſon, Crown and Dignity in defence of Religion, Laws, and Liberties* : and therfore to reprint only the ſame things as arguments to lay by the King, favours more of deſign, than juſtice.

I will wade no farther in the cenſure of the ſaid Declaration, leſt I imitate the Authors of it; and as they by a feeble accuſation have done the King much right, ſo I by a weak defence ſhould do him much wrong.

73. *Tho. Haſlerig's* Letter concerning the King.

The people were as ill ſatisfied with this Declaration, as with the 4. Votes; wherefore (24. *Feb.*) Mr. Speaker, with much ſeriouſneſs, preſented to the Houſe a Letter out of *Leiceſter-ſhire* from *Thomas Haſlerig*, (brother to Sir *Arthur*) which was read, to this purpoſe, *That there was one Mr.* Smalling, *a committee-man of* Leiceſter-ſhire, *who had been a deputy examiner in the* Star-chamber, *and affirmed, that above twenty years ſince there being a ſute in* Star-Chamber *between the Earl of* Briſtol *Complainant, and the Duke of* Buckingham *Defendant, concerning Phyſick preſumptuouſly adminiſtred by the ſaid Duke to King* James; *the ſaid* Smalling *took many Depoſitions therein, and was farther proceeding in the Examinations, until a Warrant, ſigned by the King, was brought him, commanding him to ſurceaſe, and to ſend him the Depoſitions already taken; which* Smalling *did: yet kept notes by him of the Principal paſſages, doubting what farther proceedings might be hereafter in a buſineſſe of ſuch importance.* Sir *Henry Mildmay* moved that *Smalling* be ſent for, and examined upon Oath by the Committee that penned the ſaid Declaration; but upon motion of the Presbyterians, he was Ordered to be examined at the Commons Bar. *Smalling* came, produced the Warrant, but no Notes, ſo this *Chimæra* vaniſhed.

What the ſaid Committee would have made of this, who knows? God bleſs us all from clandeſtine examinations, eſpecially when they are taken by parties pre-ingaged.

3. *Caroli*, This buſineſs had been ventilated and examined againſt the Duke, and no mention made of poyſoning or killing King *James*; it was then only called, *An Act of high preſumption and dangerous conſequence in the Duke*: nor was there then the leaſt reflection upon King *Charles*; yet now becauſe King *Charles* diſſolved

diſſolved that Parliament, the Independent party were willing to raiſe a ſuſpition againſt him concerning His Fathers death: whereas the accuſation againſt the Duke of *Buckingham*, 3. *Caroli*, contained 7. or 8. Charges againſt him, the leaſt whereof might occaſion the diſſolving of that Parliament.

74. Why the independents went ſo high againſt the King: To uſurp the regal power into *themſelves, either in the* Houſes *purged*, or in the Committee of Safety at *Derby houſe*.

Theſe deſperate courſes (to diſhonour the *King*, and make Him uncapable of Government, to ruine His Perſon, Crown and Dignity, and extirpate Monarchy root and branch) were taken in order to the *uſurping the Kingly power into the Grandees of the Parliament and Army*, and in caſe they could not purge the two Houſes, and make them wholly Independent, (which *they now deſpair of*) then into the Hands of the Committee, or Council of State at *Derby-houſe*, and *Grandees* of the Army. In order to which, they are now contriving to ſtrengthen the ſaid Committee with more power and more Members, and to adjourn the Parliament, and ſent down the Presbyterian Members into the Country upon pretence of ſervice, where if any Tumults happen (for which *their* extortions will give ſufficient provocation) the ſaid diſſenting Members ſhall bear the blame; and have blank Impeachments given them to purge them out of the Houſes, if not out of the World, or at leaſt be ſequeſtred: for now they have ſqueezed what they can out of the Kings party by Sequeſtrations, the next fewel to their covetouſneſs is to ſequeſter the Presbyterians; and then to ſequeſter one another: for they are already divided into *Pure Independents* and *Mixed Independents*, and have feuds amongſt themſelves, for this faction (inſatiate with money and blood) are all beaſts of prey; and when they want prey, will prey one upon another: nor ſhall the Houſes meet above one month or two in a year to ratifie and approve what *Derby-houſe*, and the *Junto* of the Army ſhall dictate to them; and to give an account to the domineering party how each Member hath carried himſelf in the Country. Thus inſtead of *one King*, we ſhall have *twenty* or *thirty tyrants* in chief, and as many ſubordinate Tyrants as they pleaſe to imploy under them, with the Iron yoak of an Army to hold us in ſubjection to their Arbitrary Government.

75. Why the Grandees do ſtill continue to truck with the King, notwithſtanding the ſaid 4. Votes.

Notwithſtanding the aforeſaid four Votes and Reſolutions, the Cabal of *Grandees* ſtill keep *Aſhburnham* and *Barkley* in the

 Army

Army, and have ſent divers Turn-coat-Cavaliers and Emiſſaries under-hand diſguiſed to the King, who pretending that by Bribes they had bought their admiſſion to Him, after ſome inſinuations endeavour with falſe and deceitfull news and arguments to ſhake His conſtancy, and perſwade him to paſs the ſaid 4. dethroning Bills, (for theſe Uſurpers of Sovereign Authority long to turn their armed and violent Tyranny into a legal Tyranny) or (at leaſt) to make him *declare againſt the Scots coming in.* In both which caſes He will diſ-hearten His Friends (who endeavour to take the golden reigns of Government out of the gripes of theſe *Phaetons*, and reſtore them again to His hand) unking Himſelf and His Poſterity for ever, be carried up and down like a ſtalking Horſe to their Deſigns, and be Crowned *Ludibrio Coronæ*, with ſtraw or thorns. For who can think that at the end of twenty years, theſe Uſurpers will lay down what they have ſo unjuſtly, contrary to all Laws, Divine and Humane, and contrary to their own Declarations, Oathes and Covenants, extorted? And who can, or dare, wreſt theſe powers out of their hands, being once ſetled and grown cuſtomary in them; the peoples ſpirits broken with an habitual ſervitude; a numerous Army and Garriſons hovering over them; and all places of Judicature filled with corrupt Judges, who ſhall by conſtrained interpretations of the Law, force bloody preſidents out of them, againſt whoſoever ſhall dare to be ſo good a Patriot as to oppoſe their Tyranny? They could make *Steel* ſharp enough to cut Captain *Burlies* throat for attempting to reſcue the King out of the hands of a *Rebellious Army, that neither obeys King nor Parliament*, will find gold and ſilver enough to *corrupt all the Judges*: the mean to prefer and make them *Wild* and *vild* enough for their purpoſes. But it is hoped He hath more of a King, more of man in Him then to leeſe his Principles, and ſtumble again at the ſame ſtone, daſh again upon the ſame Rock, whatſoever Syrens ſing upon it; knowing He hath a Son at liberty to revenge His wrongs, all the Princes of Chriſtendome His Allies, whoſe common cauſe is controverted in His ſufferings; the greateſt men of *England* and *Scotland* of His blood, and the People generally (whoſe fartheſt deſign was, to preſerve their Laws and Liberties, and to defend the Parliament from being conquered by the Sword)

Sword) looking with an angry aſpect upon theſe Seducers, who by inſenſible degrees, and many forgeries have ingaged them further then they intended, not to the *Defence of Religion, Laws, and Liberties*, but to *the ſetting up of Schiſm, Committee Law, and Martial Law, Impeachment before the Lords, and unlimited ſlavery.*

And I am confident this Faction deſpairs of working upon the King, who like a Rock is *mediis tutiſſimus undis*, whatſoever reports they give out to the contrary, having from the beginning made lies their refuge, which being wiſely foreſeen by the King, He ſent a Meſſage to both Houſes (by way of prevention) delivered in the Painted-Chamber by the Lord of *Louderdale*, one of the Scots Commiſſioners, conſiſting of three heads,

1. *That He was taken from* Holdenby *againſt his will.*

2. *That they ſhould maintain the Honour and Privileges of Parliament.*

3. *That they ſhould believe no Meſſage as coming from him during his Reſtraint in the Army, but ſhould only credit what they received from His own mouth.*

Theſe Grandees have cheated all the intereſts of the Kingdom, and have lately attempted the City again, & had the repulſe. But the King is their old Cuſtomer, and hath been often cheated by them, and having him in ſtrict cuſtody, peradventure they may perſwade Him it is for His ſafety to be deceived once more: wherefore (notwithſtanding their many endeavours to root up Monarchy, dethrone the King, and His Poſterity, and uſurp his power; in order to which, they have over-whelmed Him, and all His, with innumerable calamities and reproaches) yet ſince the paſſing of the Declaration againſt the King, their deſperate condition hath enforced them to make new Addreſſes in private to Him, notwithſtanding their four Votes inflicting the *penalitie of Treaſon upon the Infringers*: But Treaſon is as natural to *Cromwel*, as *falſe accuſing*, *proteſting*, and *lying*; he is ſo ſuperlative a Traytor, that the Laws can lay no hold on him. Lieutenant Colonel *Lilburn*, in a verbal Charge delivered at the Commons Bar, accuſed him of many Treaſonable Acts, which he avowed to make good: and in his Book, called, *A Plea for a Habeas Corpus*: But as if *Cromwel* were a Traytor *cum privilegio*,

the Houſe of Commons,(being under their Armed Guards)dares take no notice of it. But the *Roman Tribune* ſaid to *Scipio Africanus*, in *Livy*, *Qui jus æquum ferre non poteſt, in eum vim haud inuſtam fore*, he that exalts himſelf above the Law,ought not to be protected by the Law.

To conclude, *Cromwel* hath lately had private conference at *Farnham* with *Hammond*.

The Earl of *Southampton* hath been courted to negotiate with he King, and offered the two Speakers hands for his warrant.

Capt. *Titus* taken into favour and imployed that way.

The *Grandees* have brought themſelves into a miſt, and now wander from one fooliſh deſign to another.

The Spaniard is ſaid to forecaſt in his debates, what will happen forty years after.But theſe purblind Politicians do not foreſee the event of their Council forty days, nay hours beforehand; but it is a curſe laid upon wicked men, to grope at noon day.

70. Debates in the Hou. of Commons uponthe Scots Letters, 1 Concerning the ſaid 4. Votes.

About 5. or 6. of *Jan.* 1647. the Scots Commiſſioners had written certain Letters to the Houſe of Commons; one whereof *repeating the four Votes againſt the King*, propounded to know, *whether the Houſes by their Votes, That no perſon whatſoever do preſume to make or receive any Application or addreſs to, or from the King, would debar the* Scots *to make or receive any Addreſſes to, or from Him, and ſo put an incapacity upon Him to perform acts of Government towards them.* In the debate the Independents called to mind a more ancient Vote, whereby it was Ordered, *That the* Scots *might be admitted to the King*. Againſt which was alleged, *That theſe latter Votes, being made general, without exception, Repealed that former Vote.* At laſt by an interpretative Vote it was concluded, *That notwithſtanding the ſaid four latter Votes*, the former Vote, *That the* Scots *Commiſſioners might make Addreſſes to the King*, was ſtill in force. Obſerve that this was done four or five days after the Scots Commiſſioners were on their way towards *Scotland*.

2. Concerning 100000l. due to the Scots.

The ſecond Letter was concerning 100000l. due by contract to the Scots from the Parliament, whereof 50000l. was payable by aſſignment to divers Scots Gentlemen who had advanced money to haſten the Scots Army to our relief; whereof 10000l. was payable to the Earl of *Argyle*.

Sir

Sir *Henry Mildmay* made a long Speech in praiſe of *Argyle*; ſaying, *That he and his party, and the Scotiſh Clergy, were the onely men that upheld the Engliſh intereſt in* Scotland, *and were better friends to us then all* Scotland *beſides:* wherefore he moved, that *Argyle* might be paid his 100000l. and the reſt continued at intereſt, at 8l. *per cent.* Preſently the whole Independent gang, with much zeal, and little diſcretion, ran that way, untill more moderate men ſtopping them in full cry, minded them what diſhonour and danger they might bring their friend into by laying him open to ſuſpition.

77. Six Commiſſioners ſent into *Scotland.*

After this it was reſolved to ſend four Commons and 2. Lords into *Scotland* as Commiſſioners, with inſtructions. To ſend all Independents, would not be acceptable; 2. Presbyterian Commoners therefore were ſent, one whereof was ſweetned with the gift of 1000l. and an Office, before they would truſt him: with them were ſent Mr. *Hearl*, and Mr. *Marſhal.*

78. Mr. *Marſhal:*

Marſhal, when he ſaw Independency prevail, had ſecretly turned his coat the wrong ſide outward, & joyned intereſt with Mr. *Nye*; but before he declared himſelf, he was to do ſome ſervice for his new party: wherefore when the Army looked with a threatning poſture upon the Parliament and City, before they marched through *London*, (the common Souldiers being in ſuch diſcontent for want of pay, that they were ready to mutiny and disband, and their Officers ſcarce daring to Govern them) the firſt fruits of *Marſhal*'s ſervice to his new friends, was, to perſwade the City to lend the Parliament 50000l. to pacifie the Souldiers: aſſuring them by Letters, that the *Army had nothing but good thoughts toward the City, onely the common Souldiers were troubled for want of pay:* After the City had laid down the ſaid 50000l. his next labour was, to perſwade the Citizens to *let the Army march through the City without oppoſition, for avoiding of blood-ſhed and firing; and to let them poſſeſs the Tower, and Line of Communication.* After theſe ſervices, the *Grandees* of the Parliament and Army, finding him ſuitable to them, received him into an avowed favour, and then four Independents and four Presbyterian Divines (conjoyning their Intereſts) were ſent to ſeaſon the Army, and new tune them according to the more modern deſign: *Marſhal* was one, where, after he had preached according to the

the Dictates of the Grandees of the two Houſes and Army for divers weeks, *Marſhal* was thought fit to attend the Commiſſioners *into Scotland:* He and Maſter *Nye* had been ſent to *Cariſbroke Caſtle* formerly with thoſe Commiſſioners that carried the 4. Bils to the King, and had 500l. a piece given them for their journey.

Scotland, a longer journey, promiſed a larger reward; it is good being a Poſtilion of the Goſpel at ſuch rates.

The Sunday before he went, he preached at *Margarets Weſtminſter*, and as much cried up Presbitery and the Covenant there as he had before ſlighted them in the Army. This was a *Preparation Sermon* to make him acceptable to Scots, that he might cajole them the eaſier. Before he went he ſent his Agents from houſe to houſe at *Weſtminſter*, to beg mens good wills towards his journey. He was willing upon this pretence to get what he could from St. *Margarets* Pariſh, where he found the people to grow cold in their affections, and contributions to him. Wherefore having made his bargain before he went, to have S. *Margarets* and officiate in the *Abby* where he is to have 300l. *per annum* certain allowance, he would rob the *Ægyptians* at Saint *Margarets* for a parting blow. This Prieſt married his own Daughter with the Book of Common-prayer and a Ring, and gave for reaſon, *that the Statute eſtabliſhing that Liturgy was not yet repealed, and he was loath to have his Daughter whored and turned back upon him for want of a Legal Marriage:* Yet he can declare againſt all uſe of it by others. He hath ſo long curſed *Meroz* and *neutrality*, that he hath brought Gods curſe upon the Land, and hath put Church and Common-wealth into a *flame*, but himſelf and his Brats have *warmed their fingers at it:* as Monies are decried or enhaunſed by the Kings Authority, ſo is every mans Religion cryed up or down by *Marſhal*'s authority and ſtamp.

76. The anſwer to the Scots Declaration.

About the 24. of *February*, the *anſwer* to the *Scots Declaration* began to be debated in parts: in which Debate the *Covenant* was much undervalued, and called, *An Almanack out of Date*. *Nathaniel Fiennes* argued againſt it, That that clauſe in the Covenant, [*To Defend the Kings Perſon, Crown, and Dignity &c.*] was inconſiſtent with their four Votes, *for making no Addreſſes to the KING:* To which was anſwered by ſome

he

That then they would relinquiſh the four Votes and adhere to the Covenant.

About the beginning of *March*, was given to Col. *Sydenham* and Col. *Bingham* 10001. a peice as part of their Arrears; their Accounts not yet ſtated. To the Lord of *Broghil* 20001. To Mr. *Fenwick* 5001. for loſſes. To Mr. *Milington* 20001. for loſſes. To Col. *Ven.* 40001. notwithſtanding it was moved he might firſt account for Contribution money, the plunder of the Country about *Windſor*, and the Kings Houſhold-ſtuff, Hangings, Linnen, and Bedding. Mr. *Purie* the petty-bag office, beſides 1001. formerly given him. To *Purie*'s Son, the Clerk of the Peaces place, and 1001. a year: all *Independents*. 80. Money ſhared amongſt godly Members.

The 7. of *March*, an Ordinance paſſed the Commons to ſettle 2500l. a year land, out of the Marqueſſe of *Worceſters* eſtate, upon Lieut. Gen. *Oliver Cromwell*. I have heard ſome Gentlemen, that know the Mannor of *Chepſtow*, and the reſt of the Lands ſetled upon him, affirm, that in the particulars the ſaid lands are ſo favourably rated, that they are worth 5000l. or 6000l. a year: It is farther ſaid thoſe lands are bravely wooded. You ſee though they have not made King CHARLES *a glorious King*, as they promiſed, yet they have ſetled a *Crown Revenue* upon *Oliver*, and have made him as great and glorious a *K.* as ever *John of Leyden* was. Wonder not that they conſpire to keep up this army, as well to make good theſe Largeſſes, as to keep their guilty heads upon their Shoulders. 81. *Cromwel.*

Thurſday 9. *March*, the Lords ſent a meſſage to the Houſe of Commons, *To deſire their concurrence to the Ingagement of thoſe Members that fled to the Army, to live and die with the Army.* It was debated all day untill 7. of the clock at night; and at laſt the queſtion put. *That this Houſe doth approve the ſubſcription of the ſaid Members to the ſaid Ingagement.* The Houſe divided upon the queſtion, *yea's* 100. *noe's* 91. 82. A Meſſage from the Lords deſiring the Commons concurrence to the Ingagement of the Members with the Army. The Ingagement approved by threats.

Obſerve, 1. that Mr. Solicitor *Haſlerig*, and many more, when they perceiv'd difficulty in paſſing it, began to skirmiſh with their long Sword again. And many told them, *they muſt live content without dores* (meaning the army) *as well as within, elſe all would go naught.*

2. 44. Of thoſe Members than ingaged with the army ſate in the

the Houſe, and Voted in their own caſe; many of them carrying themſelves very high and inſolent in their geſtures and expreſſions.

3. Many Presbyterians left the Houſe becauſe it was late; and ſome (as it is thought) not daring to Vote in the Negative.

4. This engagement about ſix months ago had been ſent to the Commons by the Lords, once or twice, and was rejected, yet now was obtruded upon them again by the Lords, who would not acquieſce, contrary to the privileges of the Houſe of Commons.

83. The temper of the Houſe tried, had the Ingagement not been approved, a new Charge from the Army intended.

5. This approbation thus ſurreptitiouſly gotten, is equal to a Pardon ſued forth before Conviction, which in Law amounteth to a Confeſſion of the Crime.

6. The *Agitators* tell you in *Derby-houſe Projects*, pag. 7. *That this engagement was ſent down to the Commons to try the temper of the Houſe, and if the Houſe had not approved of the Engagement, the reſolution of their ſecret Counſel was to fly to their Armes, and make a new Charge againſt their principal oppoſers*; for they acknowledge amongſt themſelves, *That they Rule by Power only, and that the Houſe of Commons is no longer theirs than they over-awe them, and that they fear the Critical day will come which will diſcover the Parliament to be no longer theirs than while they have a force upon it.*

As men ready to ſink embrace every ſhadow of help, and catch hold of leaves, twigs, and bulruſhes, to ſupport them; ſo theſe deſperate and purblind protectors, having engaged themſelves in a way of Tyranny, out of which they can find no iſſue; lay hold of frivolous inventions to peece up from time to time their ill-laid deſigns, like the man in the parable, *That patched up his old Garment with new cloath, which breaking out again, left the rent wider than it was before.*

84. A project to unite all Intereſts.

Their laſt project was *to unite all Intereſts in the Houſes, City and Army*; To which purpoſe *Cromwell* (the heavieſt, baſeſt, and moſt ridiculous Tyrant that ever any noble Nation groned under) made a Speech in the Houſe of Commons: To which was Anſwered, *That the Members were choſen and truſted by the People, to purſue one common Intereſt*, which was, *the common good, the ſafety and Liberty of the People, and whoſoever had any peculiar Intereſt eccentrick*

eccentrick from that, was not fit to ſit in that aſſembly, and deſerved to be called to a ſtrict account by thoſe that truſted him.

Obſerve, that the extent of this project was to conjoyn theſe three *Intereſts* from upholding the greatneſſe of the *Grandees*, in the *Parliament*, *City*, and *Army*; for in all three the vulgar multitude, and the more modeſt and honeſt ſoft, are but in the ſame condition with other men: the Parliament bearing the *Authority*, the Army the *Sword*, and the City the *purſe*.

The *firſt* ſhall be the Task-maſters, and impoſe Tribute.

The *ſecond* the Sheriffs, or rather free-booters, to leavy it by diſtreſſe.

And the *third*, the Brokers, to receive and buy it off.

See the Argument againſt all accommodation between the City and Grandees, &c. and the laſt admirable caution to the City, [illegible] the latter end of this Book.

But it pleaſed God to beſtow ſo much providence and integrity upon the City, that when upon Saturday 8. *April*, 1646. *Cromwel* and his fellow-*Grandees* offered this temptation (at a Common-Council) to them,

The City grew wiſer then our firſt Parents, and rejected the Serpent and his ſubtilties, inſomuch that *Cromwel* netled with the affront, called his Solicitor *Glover* to account by what Authority he had offered the *reſtitution of the Tower and Militia, and the inlargement of their accuſed Aldermen*: who anſwered, *he did it by his Authority*, and delivered him a Warrant to that purpoſe, ſigned by Sir *Thomas Fairfax*, *Oliver Cromwel*, Mr. Solicitor, and young Sir *Henry Vane*, which *Cromwel* had the impudence to put in his pocket.

Cromwel had felt the pulſe of the City long before by his Agents *Glover* and *Watkins*, and found them averſe from complying with him: wherefore (being a man of an early, as well as an implacable malice) he, by the advice of the Committee of *Derby-houſe*) caſt about with the Schiſmatical Lord Mayor *Warner*, (he that raiſed the ridiculous Tumult at Chriſtmas about Roſemary and Bayes, a man that had been choſen Mayor by power of Parliament, (out of courſe) to carry on the deſign of the faction) and with the Lieutenant of the Tower, how to put the City into ſome diſtemper, of which they might take advantage. The Citizens were well acquainted with their jugling tricks, they had no hopes to work upon them: wherefore they contrived how to put a provocation upon the ſilly Apprentice Boys, and put them

A device to put the Apprentices into a Tumult.

forth into ſome raſh action, of which they might make uſe to carry on their deſigns againſt the whole City: wherefore upon Eaſter-day, 1648. in the evening ſome few apprentices playing in *Finsbury fields*, ſome Souldiers were ſent to drive them away; which they did, and impriſoned ſome of them for not readily obeying: upon Sunday following, 9. *April*, divers Apprentices being at play (according to cuſtome) in *Moor-fields*, the Mayor ſent Capt. *Gale* (one of the new Captains of the Hamlets, a Silk-Throſter, and a Tub-preacher, and one that ran away at the fight at *Newbury waſh*, and hid himſelf in a ditch, as my L. *Wharton* at the Battle of *Keynton* hid himſelf in a ſaw-pit) thither to diſturb them, with about 50. or 60. of his Trained Band, and no more; (that he might the better encourage the Boys to reſiſt him) who ſurlily asking them *What they did there?* ſome of them anſwered, *they did no harm, only play; and ſince all Holy dayes have been Voted down, they had no other time of Recreation:* The Captain inſolently commanded them to *be gone*; they replied, *he had no authority ſo to do*, and continued playing: whereupon the Captain commanded his Muſquetiers to *ſhoot amongſt them*; which they forbearing, he took a Muſquet himſelf, and diſcharged amongſt them, when preſently two or three ſchiſmatical Muſquetiers of his Company following his example, diſcharged upon them likewiſe, and killed (or as the Schiſmaticks ſay, wounded only) one of the Boyes: whereat the Boys making a great out-cry, more company gathered to them, and ſo with ſtones, brick-pats, and ſticks, they diſperſed the Trained band, and at laſt got their Colours, and inſtantly in a childiſh jollity marched (un-armed as they were) towards the *Mewes*, when preſently a party of Horſe (ready prepared for this forelaid deſign) met them, charged, and with eaſe routed them; *Cromwell* himſelf animating the Troopers *to ſhoot and ſpit them, and to ſpare neither man woman nor child.* All Sunday night the Apprentices kept in a body in the City, locked the City gates, but ſet no guards upon them; whereby you may ſee this buſineſs proceeded meerly from the raſh and unpremeditated folly of Children, not from the advice of Men howſoever the Independent faction in the Houſe of Commons have ſince aggravated it: to countenance their future cruelty and rapines upon the City. Monday morning Sir *Tho. Fairfax* ſent a

ſtrong

ſtrong party into the City, who fell upon the Boyiſh rabble, routed and killed many, and ſhot poor Women great with Child, ſitting in their ſtalls, one whereof the Child lived two hours in her belly after her brains were ſhot out: a man likewiſe not knowing of their coming, as he was drinking Milk at the corner of a ſtreet, was ſhot (as it were) in ſport: as they rid, they cryed, *Cuckolds keep your Houſes*, cutting and wounding all they met; *Cromwel* (who followed in the Reer ſafe enough; the Van having cleered the ſtreets before him) cryed out to them to *Fire the City*. Oh *Oliver!* what a barbarous *John of Leyden* art thou become? Oh *London!* how wretched a *Munſter* wilt thou become? at laſt they drove thoſe ſilly unarmed wretches into *Leaden-hall*, and took many of them Priſoners, none of the Trained Bands, nor Citizens, appearing to help thoſe poor Boys, but leaving the Souldiers to get a bloody and boyiſh Triumph over them, as they pleaſed; they are now impriſoned in *Cromwels* ſhambles at *White-hall*. This is the truth of the buſineſſe, notwithſtanding, the long-winded lying report made by Alderman *Fouks*, at the Commons Bar: a man that hath feather'd his neſt well theſe miſerable times, and hath much publick money ſticking to his fingers; who, when he gave in his accompt before the General Committee of Accounts, refuſed to give it in upon Oath, (as other men did) alleging *Magna Charta, that no man was bound to accuſe himſelf*. It ſhould ſeem he had ſomething in his Conſcience that would not endure the teſt of an oath: but he is one of the Godly, and therefore the good things of this world belong unto him.

The Houſe of Commons (upon this occaſion) gave 10001. to the Souldiers for their valorous exploit, and Voted 1000. Foot, and 100. Horſe to be kept in the *Tower*. The Garriſons of *Whitehall* and the *Mewes* to be ſtrengthened: 3. Barges capable of 50. Muſquetiers apiece to lie at *Whitehall* for the Souldiers to convey themſelves to any landing place to diſperſe ſuch watermen as ſhal aſſemble: The City Chains to be taken away from their Poſts, and a Commiſſion of *Oyer* and *Terminer* to iſſue forth to murder more of theſe Children legally.

The Mayor having kindled this fire in the City, ſtole out at a window diſguiſed, and hid his fooliſh head in the Tower.

The Houſe of Commons (over-ruled by the Grandees) Voted a day of thankſgiving for this delivery. So bold are theſe Saints as to mock Gods holy name with impious devotions to colou their deſigns.

86. The Lord *Inchiquin*.

The Lord *Inchiquin*, preſident of *Munſter* and General of the Army there, had a long time been heaved at by the Independent faction. The Lord *Liſle*, (who gaped after his imployment) Sir *John Temple*, *Cromwell*, the Lord *Broughill*, Sir *Arthur* and Sir *Adam Loftus*, and others: who by obſtructing all ſupplies of Money, Ammunition, Victual, Cloathes, laboured to mutiny and disband his Army, that they might ſend Schiſmaticks of their own party to Lord it there, as they do here, and keep *Ireland* as a Retreat for the Saints: for the better effecting whereof they ſent over many Emiſſaries, whom they had commended to him, to be officers in his Army. When this would not do, they Printed ſcandalous Articles againſt him, and put infinite provocations upon him to incite him to do that which they falſly accuſed him to have done already; But the many gallant ſervices he performed ſince the publiſhing thoſe Articles gave them the lie, and confuted all their ſlanders: at laſt (under colour of ſending a ſupply of forces to him) they projected to ſurprize him, and bring him away priſoner; ſo that he hath ſuffered all the convulſions that trecherous friends, and malicious enemies could put upon him. And lately (for the more cloſe conveyance of the deſign) the Houſes ſent three Commiſſioners towards *Ireland* to ſurvey his Actions; but (as if it were purpoſely done) when the Commiſſioners came as far on their way as *Briſtol*, about a dozen renegado Officers of his Army met the Commiſſioners and turned them back again. The ſaid Officers poſted up to the Parliament before the Commiſſioners, and the 13. *April* were called in to the Commons Bar, where they made a relation to the Houſe to this purpoſe; That the Lord *Inchiquin* having made an expedition into the County of *Kerry*, upon his return, ſent for theſe Officers into his preſence Chamber, and told them, *He intended to declare againſt the Army and Independent party in* England, *who kept the King and Parliament under a force, that he would ſtand for the Liberty of the King and Parliament, and a free Conference to ſettle Peace; and that he expected all his Officers ſhould*

ſhould joyn with him in ſo honourable an undertaking; but ſhould take an Oath of ſecrecy, before he diſcover'd himſelf farther to them. They anſwered, *They could make no ſuch Oath before they knew whether they might with a ſafe conſcience keep it*, ſaying, *they would be true to the Parliament.* My Lord *Inchiquin* replyed, *So have I, and will be; delude me not with ambiguous words, do you mean this pretended Parliament?* telling them farther, *he had good correſpondence with all the Presbyterians in* Scotland *and* England, *as well in the Parliament, as out of it; that he doubted not to go through with his undertaking; and if the worſt hapned, to make good conditions for himſelf and his party. That he would make peace with my Lord* Taff, *(and that he knew the* Independents *in* England *were upon Treaty with* Owen Roe Oneal) *who was a man of their humour, and loved to keep all in combuſtion.* They refuſed to joyn, he diſmiſſed them for *England.* The ſame day Letters from Capt. *John Crowthen* (Vice-Admiral of the Iriſh Seas) from a ſhipboard, were read in the Houſe, much to the ſame purpoſe, though not ſo large: wherein he ſaid, *He had already blocked up all my Lord* Inchiquin's *Havens.*

Preſently *Allen* the Goldſmith moved, *That ſince the Lord* Inchiquin *had diſcovered that he had a correſpondency with the Preſbyterians in the Houſe, before they dealt with their Enemies without doors, they ſhould try who were their Enemies within doors, by putting all men to ſome Covenant, Engagement, or Proteſtation, &c.* And Lieutenant General *Cromwell* ſaid, *That being to debate this buſineſs to morrow, whoſoever with croſſe Arguments ſhall ſpin out the debate, and ſo retard our proceedings, (by my conſent) ſhall be noted with a Black Coal:* to which was anſwered, *That this tended to take away freedom of debate, which was the life of Parliaments, and of all Councils; and was deſtructive to the very being of Parliaments.*

87. *Allen* the Goldſmith moved to put the Houſe to the touch by ſome Covenant, Declaration, &c.

It is not amiſſe to inſert here by way of digreſſion, what I formerly omitted: Sir *Henry Mildmay* long ſince moved, *That* 150. *rich Guard Coats of the King, might be ſold for* 800l. *to find Fire and Candle for the Souldiers in* White-hall. The queſtion put: The Speaker gave judgement, *the Yeas had it.* Mr. *Edward Stephens* declared *the Noes had it.* They were unwilling to divide upon ſuch a queſtion: but Mr. *Stephens* perſiſted; and *Robert Reynolds* ſaid

ſaid aloud, *notice ſhall be taken of him for putting ſuch a diſhonour upon the Houſe.* Upon the Diviſion, the *Noes* carried it by nine voices. Thereupon, complaint was made againſt *Reynolds* for *attempting againſt the liberty of Voting*, but no redreſs.

But to return from my digreſſion: the next day (14. of *April*) it was moved that my Lord *Inchiquin's* Son, a Child of 8. or 9. years old, going to School at *Thiſtleworth, might be ſecured in the Tower and kept for a Hoſtage.* To which was Anſwered, *That no man could take an Hoſtage without conſent: an Hoſtage muſt be given upon the publick faith, upon ſome ſtipulation, and muſt be ſo received, by mutual agreement; you cannot puniſh the child for the Fathers fault*; yet he was voted to the Tower, and ſent. My Lord *Inchiquin's* Commiſſion as Preſident of *Munſter*, and General of the Army, Voted *void, and no man to obey him*, himſelf Voted a *Traitor*; yet no man examined upon Oath againſt him, nor any man ſent to take information of the buſineſſe into *Ireland*, and his profeſſed enemy the Lord *Liſle*, is to go General into *Munſter* in his room; and the ſaid fugitive Officers all rewarded, as if they had brought acceptable news.

This day *Reynolds* revived *Allens* motion for *putting the Members to the Teſt, by ſome Covenant, Proteſtation, or Declaration, ſubſcribed, That this is a free Parliament, and that they would live and die with this Parliament and Army*: To which was anſwered,

1. That by Ordinance of both Houſes, all men were enjoyned to take the National Covenant. This Covenant is the true Touch-ſtone of the Parliament, and ſo agreed upon by the wiſdome of both Nations; yet many ſit here who refuſe to obey this Ordinance: I know no reaſon therefore why any man ſhould obey you in any other Ordinance of this Nature: let us keep the old Covenant before we take any new.

2. It hath been moved in the Houſe, that the Oathes of Juſtices of the Peace, and Sheriffs, might be taken away: I hope you will not aboliſh legal Oathes, and impoſe illegal Oathes. This Houſe hath not ſo much Authority, as to adminiſter an Oath, much more to impoſe one: you muſt allow to others that liberty of Conſcience which you demand for your ſelves.

3. Major *Gray* told you my Lord *Inchiquin* ſaid he had correſpondency with all the Presbyterians in the Houſe, who had made

made their peace with the King. But my Lord *Inchiquin* told him farther, the Independents were upon Treaty with *Owen Roe*, and *Oneal*, let them clear themſelves of that imputation firſt before they give a purgation unto others, otherwiſe what you do will ſavour of force.

4. The true Touch-ſtone to try every mans integrity is to examine, who have inriched themſelves by the calamities of the times and your ſervice, and who are impoveriſhed.

5. This is a new device to purge the Houſe.

The *Grandees* of the Houſe have cantonized the Kingdom between them, every man in his Diviſion protecting ihe Country Committees, and receiving tribute from them in recompence of their protection; and *Prideaux* the Poſt-maſter being King of the *Weſt-Saxons*, his Vice-roy or Lord Deputy for the County of *Somerſet* is that running Col. *John Pyne*, who being often inſpired with Sack, rules the Committee and County by inſpirations. *Pyne* and his Peers of the Committee, to pleaſe his ſuperiours, ſet on foot a draught of a Petition to be handed by the Country, *giving thanks to the Parliament for the four Votes againſt the King*, and *promiſing to live and die with the Parliament and Army*, and *deſiring the County might be freed from Malignants, Neuters, and Apoſtates*; which (in their interpretation) ſignifies *Preſbyterians* and *moderate men*, who will not dance about the flame when the Independents make a Bonfire of the Common-wealth. The Eaſtern Diviſion of *Sommerſet-ſhire* rejected the Petition; in the Weſtern Diviſion *Pyne* and his Committee ſending abroad his Sequeſtrators with the Petition, (threatned to take them for Malignants, and Sequeſter them that refuſed) got many Subſcriptions; but the Subſcribers ſince (better informed of the danger and miſchief of thoſe Votes) retracted what they had done by a *counter Petition*, wherein they declare, that *their Subſcription to the former Petition was contrary to their Judgement and Conſciences, and extorted by the terror of Sequeſtrators, and threats of being Sequeſtred.* This affront ſtung the Committee, and opened the eyes of the Country: as the like fooliſh attempt of Sir *Henry Mildmay* did the eyes of the County of *Eſſex*. Wherefore to find a Plaſter for this broken pate, Sergeant *Wild* (he that hang'd Capt. *Burly*) coming that circuit, care was taken to have a ſelect Grand-

88. The Counties compelled to give thanks to the Houſes for their Votes againſt the King.

Jury

Jury of Schiſmaticks and Sequeſtrators blended together, who made a preſentment ſubſcribed by 19. of their hands, which Serjeant *Wild* preſerved in his pocket; and upon Tueſday 18. *April*, delivered with as much gravity as a ſet ſpeech & a ſet ruffe could furniſh him withall in the Houſe of Commons, and was read and hearkned unto by the thriving Godly, with as much attention, as pricking up of eares, and turning up of eyes could demonſtrate: the contents of this preſentment were the ſame with the aforeſaid revoked Petition. Great care was taken to give thanks to the high Sheriff and Grand Jury, who had ſo freely delivered the ſence of that well-affected County: and as much care taken to improve this Talent and put it to intereſt throughout the Kingdom. Collonel *Purefoy* is now at this Work in *Warwick ſhire*, Sir *Arthur Haſlerigge* about *Newcaſtle*, others in other places. Piteous Crutches to ſupport a crippled reputation, which now *halts*, and begs for relief worſe than their own maimed Souldiers do, and with as bad ſucceſs, they have juggled themſelves out of credit, & would fain *juggle themſelves in again*. Behold the wiſdom of our *Grandees*, wiſe, religious, new modelled Politicians, who have brought themſelves and the whole Kingdom into theſe deplorable, contemptible ſtraits; take notice of your Repreſentative, you that are repreſented, call them to a ſeaſonable account: but whither doth my zeal carry me? I ſhall anon ſtumble upon a new fangled Treaſon to be declared againſt me, without, nay againſt Law.

86. Mens tongues tied up by an Ordinance.

Friday 21. *April*, an Ordinance was preſented to the Houſe, intituled, *For ſuppreſſing all Tumults and inſurrections* (the Committee of Safety at *Derby-houſe* had before an ample power conferred upon them for that purpoſe; but guilty conſciences, though they be ſafe, are never ſecure; like *Cain*, they think that every man will ſlay them) it was paſſed after ſome amendments to this purport, *That any three Committee-men ſhall have Power to Impriſon and Sequeſter all ſuch as ſhall actually adhere to any that ſhall raiſe or endeavour to raiſe Tumults and Inſurrections: or ſhall ſpeak or publiſh any thing reproachfull to the Parliament, or their proceedings.* Behold here an exciſe (amounting to the Value of all you have) ſet upon every light word; a man made an offendor for a word, to the utter ruine of him and his poſterity, under colour

colour of *defending Laws, Liberties, and Properties,* you are *cheated of them all,* and *reduced* to meer and abſolute *ſlavery* and *beggery*: you are not Maſters of your own carcaſſes, yet your mouths are buttoned up; you muſt not be allowed that ſilly comfort of venting your griefs by way of complaint; what Tyrant was ever ſo barbarous, ſo indiſcreet as to do the like? It was moved that Offenders of this kind might be bound to the good behaviour, and the offences proved openly at the Aſſizes or Seſſions, before ſo deſtructive a puniſhment be inflicted. There are three principles in Law, of which the Laws are very tender, and will not ſuffer them to be touched but upon great Offences, cleer proofs and exact formalities obſerved, *life, liberty,* and *eſtate*: by *Magna Charta,* the *Petition of right,* and many other Statutes, theſe principles are ſo ſacred, that nothing but the Law can meddle with them, *Nemo impriſonetur aut diſſeiſietur niſi per legale judicium parium ſuorum.* You have made the people ſhed their money and blood abundantly, pretending defence of *Religion, Laws,* and *Liberties*; let them now at laſt (being a time of peace) enjoy what they have ſo dearly paid for; and delay them not with a pretended neceſſity of your own making; you now make all that is, or can be neer and dear to them, liable to the paſſions of three Committee-men, to judge and execute according to their diſcretion, without Law, or ſo much as a formality thereof: And yet both houſes of Parliament have often heretofore offered to aboliſh thoſe Committees, as men whoſe wickedneſſe and folly they and the whole Kingdom were aſhamed of. The Grandees of the Parliament and Army, when the Houſes are called, and full, have reſolved to draw their forces neer about the Town, and by that terrour to trie the temper of the Houſes; ſuch Members as will not comply with them, they will with freſh Charges purge out of the Houſe, and publiſh baſe and infamous ſcandals againſt them, to which if they ſubmit with ſilence, they betray their reputations for ever, and ſpare the credits of their juglin[illegible] enemies. If they make any defence for their honours by way of Apology, they ſhall be brought within the compaſſe of this devouring, inſlaving Ordinance, as *men that reproach the Parliament and their Proceedings.* Thus the ſame whip ſhall hang over the ſhoulders of the Presbyterian party, (who will not agree to *King-depoſing*

Anarchy and Schiſm) as it did formerly over the Kings party. And the Presbyterians ſhall be ſqueeſed into the Independents coffers, as formerly the Kings party were, ſo long as they had any thing to loſe; for the whole earth is little enough for theſe Saints, who are never ſatisfied with money and blood, although they never look towards Heaven but through the ſpectacles of this world. The old *elogium* and Character of this Engliſh Nation was, that they were *Hilaris gens, cui libera mens & libera lingua:* But now (Country-men) your tongues are in the Stocks, your bodies in every gaole, your ſouls in the dark, and eſtates in the mercy of thoſe that have no mercy, and at the diſcretions of thoſe that have no diſcretion: Farewell *Engliſh liberty.*

90. The Kentiſh Committee-war.

In the Epiſtle to this book, I have given you an account of the bloody anſwer given to the *Surrey* Petitioners, *May* 16. 1648. I muſt in the next place ſpeak ſomething of the *Kentiſh Petition*, and of the *Committee-war* they raiſed to oppoſe it; which took its riſing and beginning partly from the inſolencies and oppreſſions of their tyrannical *Committee-men*, (perſons for the moſt part of weak fortunes, and weaker wits) and partly from the frantick zeal of the Mayor of *Canterbury* (who for his Religion, prudence and honeſty, may well be younger brother to *Warner* Lord Mayor of *London*) upon *Chriſtmas day* 1648. ſundry people going to the Church of *Canterbury* to ſolemnize that day, were uncivily interrogated, and roughly handled by the Mayor, as if it were ſuperſtition, nay impiety to ſerve God on that day; or as if ſome days were exempted from ſerving God, as ſome days are exempted from worldly labour: This grew to a Tumult, which the Committee of the County hearing, they preſently gathered forces to make oſtentation of their power in ſuppreſſing it, but were prevented by intelligence that all was quiet; but this quietneſs was rather a truce, then a laſting peace, a deſire of revenge againſt the Mayor for wounding ſome of the People, like fire hid under aſhes, broke forth two days after, but was preſently pacified by the diſcreet indeavours of Sir *W. Man*, Ald. *Sabin*, and Mr. *Lovelace* a Lawyer. The Committee of that County preſently aſſemble *forces*, with which (together with their Chaplains & other inſtruments of war) they march to reduce the City, and (though they had news that *all was appeaſed*) yet would they not believe it, but continued

nued their march in triumph; where finding the Gates open, they took them off and burnt them, threw down part of their Walls, thereby degrading the City, and turning it into a Village, as a trophy of their high indignation; committed many to Priſon upon light ſuſpicions, amongſt whom, the aforeſaid 3 Peace-makers, for being ſo ſaucy as to compoſe the difference, and thereby deprive their *highneſſes* of a Triumphant Victory. For theſe upſtart Committees mounted above the ſphere of their activity, and having ſtolen his Majeſties Sword (His principal mark of Soveraignty wherewith he protects his people) out of his Scabbard, know not how to uſe it, but to the deſtruction of the people: like ill-natured Children, they have gotten a gay thing, and muſt do miſchief with it. And for farther magnifying of their power to the Country, and their diligence to the Parliament, they charged the priſoners with High Treaſon, and ſo forgot them languiſhing in Gaol, had not thoſe Gentlemen remembred themſelves and clamoured for a Trial; which at laſt was granted them by a Commiſſion of *Oyer* and *Terminer* to Sergeant *Wild*, and Sergeant *Creſwell*: the Juries were men known to be wel-affected to the Parliament, who found *Ignoramus* upon the Bill, and (notwithſtanding many checks and taunts from the Committee, and the refuſing of the return) adhered, ſo that the Court adjourned for ſome months: Hereupon the Kentiſh men fearing the tyrannical diſpoſition of their Committees, conſulted with the ſaid Grand Jury upon the place concerning a Petition to the Parliament *for Peace*, to end our diſtractions; which Petition was ſubſcribed by the Grand Jury, in the name of the whole County. The Committee *jealous* that theſe things would hearten the People, & looſen the bonds of that ſlaviſh fear, wherein they had hitherto held them captive, printed, and cauſed to be publiſhed in all Churches a Paper prohibiting the ſame Petition, and branding it with the name of *ſeditious and tumultuous*, ſaying, *they would hang two in every Pariſh that were promoters of it, and ſequeſter the reſt.* And endeavoured firſt to raiſe forces in the County; but at laſt made their complaint to the Army. When the Country ſaw their juſt deſires like to be ſuppreſſed by Arms, and themſelves to be ſtill Committee-ridden, they reſolved upon a place of meeting to promote their Petition, and

to come Armed thither for their own defence onely. But the County Committee plied their buſineſſe ſo well with the Committee of *Derby-houſe* and the Army, that they firſt drew a party of Horſe into the County, who committed many murders according to Cuſtome, and then the whole Army which at *Blackheath* encamped on the ſame place where thePetitioners intended to *Rendezvouz*.So the reſult of all is but this : The whole County of *Kent* oppreſſed by a tyrannous Committee, and a lingring war, now likely to be renued, prepare to preſent a Petition to the Parliament *for Peace*,and had appointed a day and place of meeting, which by reaſon of the large extent of the County they could not alter at the pleaſure of the Committee: and being terrified by the menaces and warlike preparations of the ſaid Committee, brought their Arms with them in order onely to ſelf-defence, (allowed by the Laws of God and Man, and by the doctrine and practice of this Parliament and Army;and peradventure induced thereto by the ſad Maſſacre of the *Surry* Petitioners.) The Committee to ſupport their uſurped, illegal authority, invite an Army to break in upon them with *fire* and *ſword*, and ſo enforced them upon thoughts and actions of War, never before thought on : as will appear,

1. Becauſe many of the Petitioners went home the next day after the *Rendezvouz*.

2.The County had provided no General, nor no old Commanders.

3. They never thought of forming an Army until Sir *Thomas Fairfax* was ſtorming one of their Towns.

4. The *Kentiſh-men* were compelled to take in *Sandwich*,and the 3. Caſtles, leſt they ſhould fall upon the backs of them when the Army marched againſt them;yet did they hurt no man in perſon or goods : which argued a peaceable diſpoſition, ayming only at defence. Thus you ſee a whole County always well-affected to the Parliament, complaining of a few Independent ſectarian Committee-men, Sequeſtrators, &c. for infinite oppreſſions and cheats daily committed : they being weighed in the ſcales together, the whole County are thought too light for want of an unpartial holding the ballance even : one prudential conſideration, that they muſt not diſcountenance their friends

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(as they call the Committee) and ſomethig elſe more ſubſtantial, being put upon the Committees ſcale, hoyſeth the whole County into the ayr. And when the Parliaments Army was at *Blackheath*, the County ſending ſome of their Gentry with Petitionary Letters to the Houſe of Commons, declaring *the peaceableneſs of their inclinations, their continued obedience to the Houſes, and a deſire their grievances againſt their Committee might be put into a way of examination and redreſſe*, they could obtain no other Anſwer (the ſchiſmatical ingaged party overpowering the Houſe with the near approach of their own Army, for it is no bodies elſe) then, *that they would ſend them an anſwer by their General*; which was as much as if they had ſaid, *They would ſend an anſwer by the Executioner:* the terrour of this anſwer made the Country deſperately ingage in an un-premeditated War, for which they were wholly unprovided, as the irreſolute and diſtracted managing of it makes manifeſt. But this advantage was greedily laid hold of by the Saints, to raviſh a victory from the Country, which they were reſolved to uſe with ſo much ſecrecy and ſolemn cruelty, that the example thereof ſhould ſtrike an awfulneſſe into the hearts of all that ſhould hear of it, and beget a ſlaviſh fear in the whole Kingdom to ſubmit to the laying aſide of the KING, and his Negative Voice, and the eſtabliſhing of a tyrannical Oligarchy, in the Grandees of the two Houſes and Army: for finding the whole Kingdom to hate them with a perfect hatred, they have no hope to govern by Love, but by Fear; which (according to the Turkiſh rule) is more predominant and conſtant paſſion. And certainly had not *Goring's* paſſing over at *Greenwich* into *Eſſex* compelled *Fairfax* to follow immediately after with his Army, they had been uſed with much extremity: inſomuch that *Weaver*, (a Member, fuller of zeal then wiſdom, though wiſe enough for his own profit, as moſt Saints and knaves are) moved in the Houſe, *That all* Kent *might be ſequeſtred, becauſe they had rebelled, and all* Eſſex, *becauſe they would rebell.* And truly this is as good a way as *Cromwel's* ſelling his Welch Priſoners for 12d. a head to be tranſported into barbarous Plantations, whereby to expell the *Canaanites*, and make new plantations in old *England* for the Godly, the ſeed of the Faithfull: for this faction (like the Divel) cry *all is mine*

27. *May*

191. *Banbury-Caſtle* obtruded upon the State.

27. *May* A friend of my Lord *Say's* moved in the Houſe of Commons, *That* Banbury-Caſtle *might be demoliſhed to prevent any ſurpriſe thereof by Malignants*, ſaying, *it had already coſt the State* 200000l. *to reduce it, and had undone the Country, which was unable to pay for it: it belonged to a Noble, Godly perſon, the L.* Say, *and it was not fit to demoliſh it without his conſent and recompence; it was therefore deſired the State ſhould bear the charge, his Lordſhip being willing to ſell it for* 2000l. To which was anſwered, *That other well-affected Gentlemen had their Houſes deſtroyed for ſervice of the State, without recompence, not ſo well provided to bear the loſs as my Lord* Say; *as Mr.* Charles Doyly, *two handſome habitable Houſes, Mr.* Vachell, *ſome Houſes in* Reading, *and others well deſerving of the State, though not of themſelves.* This Caſtle was unhabitable, a rude heap of ſtones, a publick nuſance to the Country. It coſt his Lordſhip but 500l. and now to obtrude it upon the State at 2000l. price, in ſo great a ſcarcity and want of money, the Kingdom groning under Taxes, was not reaſonable. So Divine providence not ſaying *Amen* to it, this Cheat failed like the untimely birth of a Woman.

192. The Impeached Lords, Members and Aldermen.

About the beginning of *June*, a debate hapned in the Houſe of Commons about the four impriſoned Aldermen, occaſioned by a Petition from the City, and concerning the impeached Lords and Commons. Mr. *Gewen* ſpake modeſtly in their behalf, ſaying, *That what they did was done by virtue of an Ordinance of Parliament made this very Seſſions of Parliament, and without any intent to raiſe a new war, but only to defend the City againſt the menaces of the Army marching up againſt them and the Parliament.* But Mr. *Gourdon* (a man hot enough for his zeal to ſet a Kingdom on fire) Anſwered, *He thought they intended a new War, and were encouraged thereto by the Gentleman that ſpake laſt; when he ſaid to them at their Common-council, Up and be doing:* Mr. *Walker* (perceiving Mr. *Gewen* to be cauſleſly reflected upon) replied, *that ſince this debate upon the City Petition tended towards a cloſing up of all differences, it was unfit, men that ſpake their conſciences freely and modeſtly ſhould be upbraided with Repetitions tending to diſ-union,* and deſired men might not be permitted to vent their malice under colour of ſhewing their zeal: when preſently, *Thomas Scot*, the Brewers-clerk (he that hath a Tally of every mans faults but his

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own hanging at his Girdle by vertue of his Office, being Deputy-Inquiſitor, or Hangman to *Miles Corbet* in the clandeſtine Committee of examinations) replyed upon Mr. *Walker*, *That the Gent. that ſpake laſt was not ſo well-affected, but that the cloſe Committee of Examinations, would find cauſe to take an order with him ſhortly:* Mr. *Walker* offered to anſwer him, and demanded the Juſtice of the Houſe, but could not be heard: thoſe that ſpake in behalf of the Aldermen, were often affronted, and threatned with the diſpleaſure of the Army, which they alleged, *would be apt to fall into diſtempers if we diſcharged them.* Notwithſtanding theſe menaces, it was voted, that *the Houſe would not proſecute their Impeachments againſt the ſaid four Aldermen*, Sir John Maynard, *and the ſeven Lords; and that they would proceed no farther upon their Order for impeaching Mr.* Hollis, Sir William Waller, &c. Two or three dayes after, a motion was ſet on foot, *That the Order whereby the ſaid Members were diſabled from being of the Houſe might be revoked*, many zealots argued fiercely, and threatned againſt it; amongſt many arguments for them, a Preſident was inſiſted upon, *That Maſter* Henry Martin *was by Order diſabled from being a Member, yet was afterwards readmitted upon his old Election:* and deſired theſe Gentlemen might find equall juſtice The Houſe having freed them *à culpa*, could not in equity but free them *à pœna*, and put them in the remainder of all that belonged to them. But Sir *Peter Wentworth* anſwered, *That Mr.* Martins *caſe and theirs differed: Mr.* Martin *was expelled for words ſpoken againſt the King, ſuch as every mans conſcience told him were true; but becauſe he ſpoke thoſe words unſeaſonably, when the King was in good ſtrength, and the words (whether true or falſe) were in ſtrictneſſe of Law, Treaſon: the Houſe* (eſpecially the lukewarm men) *conſidering the doubtfull events of War, diſabled and committed him, leſt the whole Houſe might be drawn in compaſſe of High Treaſon for conniving at them:* which was a prudential Act contrary to juſtice, and contrary to the ſenſe of the Godly and honeſt party of the Houſe. But afterwards (the King growing weaker, and the Parliament ſtronger) the Houſe reſtored Maſter *Martin*, and thought fit to ſet every mans tongue at liberty to ſpeak truth even againſt the King himſelf; and now every day words of a higher nature are ſpoken againſt him, by the well affecte

affected Godly in the Houſe. After many threats uſed be *Wentworth, Ven, Harvy, Scot, Goerdon, Weaver, &c.* The ſaid diſabling Order was repealed.

93. Members added to the Committee of Safety at *Derbyhouſe.*

About the ſame time the Lords ſent a meſſage to the Commons that *they had named ſix Lords to be added to the Committee of ſafety, and deſired the Houſe to adde twelve Commons to them.* (This had five or ſix times been brought down from the Lords before, and received ſo many denials, but the Lords would not acquieſce) the Meſſage came down about one of the Clock, the Houſe being thin, many argued againſt it, ſaying, that there were ſeven Lords and fourteen Commons of that Committee already, enough (if not too many) to diſpatch buſineſſe with ſecrecy and expedition; that to adde ſix Lords more to them was (in effect) to make the whole Houſe of Peers of that Committee; ſo the whole Houſe of Peers and twenty ſix of the ableſt and beſt ſpoken Commons being ingaged in that Committee, that Committee would ſway the Houſes which way they pleaſed; draw, by degrees, all power and authority from the Parliament to themſelves; cauſe the Houſe to adjourn at pleaſure, or leave them ſo evirtûated, and enervated, that they ſhould no longer keep the dignity nor Authority of a Parliament; contrary to the truſt repoſed in them by thoſe that choſe them, and contrary to the tenor of the Writ of Election. It were more for the ſervice of the Commonwealth to examine what the powers of that Committee are, and to ſet a ſhort time to its continuance, and not leave it indefinite as now it is. After more than an hours debate, the Speaker (inſtead of putting the queſtion, whether an addition or no?) called to have the names read, firſt of the Lords, who were Voted, one, by one; and then the commons were named, who are almoſt all Independents; *Weaver* excepted againſt the naming of Major Gen. *Brown* to be of that Committee, for being diſaffected to the Army; to which Major Gen: *Brown* gave a diſcreet and honeſt Anſwer; in reply to which, *weaver* concluded, That the Parliament in the poſture it was in, was not likely to ſave the Kingdome, but the Committee of Safety and the Army muſt ſave it: whereupon ſatisfaction was demanded againſt *Weaver* for diſhonouring the Parliament, and alleged that the Honour of the Parliament was more conſiderable than the Ho-

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our of the army, and ought to be vindicated before the Honour
the army, whatſoever their Agents and Servants in the Houſe
vho gained by them) thought to the contrary, unleſſe they
ould acknowledg the Parliament to be ſubordinate to the army.
was farther ſaid, that if the Parliament ſhould relinquiſh the
ork of ſetling Peace, Religion, Laws, and Liberties in the King-
ome to the Committee of Safety, (as the Gentleman that ſpake
t ſeems to intimate, that in order thereto, the ſaid Committee
enlarged) the Parliament ſhould forſake their truſt, and be no
nger a Parliament, and all they had done, and ſhould doe in
at way, (even the erecting, empowering, and enlarging of that
ommittee) is void in law. Note, that ſeveral Orders have been
ade, appointing ſet days to examine the powers of this Commit-
e, and limit a time for its determination; but always upon the
pointed days, either ſome Letters of news, or ſome new inven-
d Plots have been caſt like ſtumbling-blocks in the way to put it
f.

The like for ſetling the general Militia of the Counties; all
hich are now left *ſine die*.

Thurſday, 15. *June*, Mr. Solicitor reported to the Houſe, That 94.
William Maſham and the reſt of the Committee, were car- 20. Royaliſts
d up and down in the head of *Goring*'s army, hardly uſed, and ſent to the
reatned to be in the front of the battel when they came to General in
ght: and moved that 20. of the Kings party ſhould be ſeiſed, lieu of 10.
d ſent to the General to be uſed in the like manner. But *Gour-* Committee-
moved, That the Lady *Capell* and her Children, and the La- men in *Colche-*
Norwich might be ſent to the General with the ſame dire- *ſter*.
ons, ſaying, *their Husbands would be carefull of their ſafety*:
d when divers oppoſed ſo barbarous a motion, and alleged, *the*
dy Capell *was great with child near her time*. *Gourdon* preſſed
he more eagerly, (as if he had taken the General for a Man-
dwife) he was ſeconded by *Ven*, Sir *Hen. Mildmay*, *Tho. Scot*,
lackſtone, *Hill* of Haberdaſhers-hall, *Purefoy*, *Miles Corbet*, &c.
ote that *Ruſhworth* (Secretary to the General) reported at the
ommons Bar, *The Committee were well uſed and wanted nothing*.
nd though they have had many Fights and Sallies, they did ne-
r put any of the Committee in the Front; ſo that if ſhould
:m this is only a fabulous pretence to carry 20. of the Kings

party in *Front* before them to facilitate and ſecure their Approaches againſt the Enemies ſhot, which is the more credible, becauſe the ſenſe of the Houſe was, *not to exchange theſe for the Committee*. This is to cheat the Enemy of a Town, not to conquer it. Behold the Saints way of getting Victories, and *Cromwel* practiſeth the ſame in *Wales*, as I hear.

And that it may farther appear, this Saint-like Army neither Conquers by Miracle nor the Sword, but by the battery of Angels, I can aſſure you, that lately one of the ſetting-bitches of theſe States (as they now call themſelves in their foreign negotiations) the *Hogen mogens* of *Derby-houſe*, the Lady *Norton* (Wife to bul-headed Sir *Grig.*) offered a large ſum of money to a Gentlewoman to procure her Husband to yield up a Hold he keeps for the KING, uſing this argument to perſwade it, *That moſt of the good Towns they ſeemed to conquer, were purchaſed of men that had wit enough to reſpect themſelves*, (for you muſt know that this virtuous Lady trucks as well for ſtrong Towns and Forts, as for Plackets and other weaker pieces) but the motion was contemned; And the General having gotten together the Trained men of *Suffolk* and *Eſſex* to aſſiſt him, putteth them in the Forlorne Hope in all his ſtormings of the Town of *Colcheſter*, and drives them on with his Horſe, uſing them as the Turk uſeth his *Aſapi* to dead the firſt fury and edge of the Enemy, that his Janiſaries may at laſt come on with the more ſafety, and carry the buſineſſe.

91. The National Covenant.

Saturday, 17. *June*. It was moved that no Commiſſions might be granted to any Commanders or Officers, untill they had taken the National Covenant: againſt which, it was argued, That the Covenant was become the pretence of all Rebellions and Inſurrections; that moſt of them that had Rebelled in *Wales*, *Kent*, *Eſſex*, had taken it; but thoſe that refuſed it were true friends to the Parliament and had done them gallant ſervice. That the Covenant had ſo many various interpretations put upon it, that no man knew what to make of it, or how with a ſafe Conſcience to take it: thus argued the Independents, as if the Covenant were *malum in ſe*. To which was anſwered, that by this laſt reaſon they might lay aſide the Scriptures, which were frequently and variouſly miſ-interpreted by Hereticks and Shiſmaticks. If the Covenant

Covenant in its own nature were the cause of insur
was unwisely done of the Parliament to impose it upon men; and to tie them by Vow to defend it, and one another in defence of it, with their lives and fortunes, whatsoever number of Armed men should gather together in defence of the Kings Person, Crown and Dignity, or of Religion, Laws, Liberties, or of Privileges of Parliament, according to the said Covenant; they have the authority of Parliament, nay of Heaven, (where their Vow is recorded) for what they do, and cannot be said to Rebel, or War against the Parliament, but against a faction, who having deserted or never taken the Covenant, to carry on new designs for their own advantage; do now mis-apply the title of *Malignant* and *Rebell*, to those which fight for the Covenant, because they will not change their principles with them for Company. And upon this ground onely were the four Aldermen, seven Lords, Sir *John Maynard*, &c. impeached and imprisoned onely for such actions as the Covenant (which they took by authority of Parliament) bound them in conscience unto; and for which they had a special Ordinance of Parliament, made this very Sessions, and not to raise a new War as was scandalously and violently enforced upon them: Had it come to a new War, it must have been laid at their doores that subvert the Principles in the Covenant. Many have taken the Covenant in obedience to you, and are bound up by it; and now to leave other men at large not to take it, and accuse them of *Treason* for endeavouring to keep it, is very unjust. You have lately promised the Scots, *you will adhere to the Covenant*: How can they believe this, unlesse you enjoyn all to take it? And so long as you put all the Arms, Garrisons and ships of the Kingdom, and all places of power, profit and preferment, into the hands of Schismaticks and Antimonarchists, whose principles and actings run counter to the Covenant, and such as talk much of your service, but have done only their own; in order to which, they refused to obey you and Disband, ravished the King from you at *Holdenby*, kept you in wardship ever since, and dishonoured and brought you low with treasonable, scandalous, threatning Engagements, Declarations, Remonstrances, and other Papers: But those that would have had the Covenant current, could not get the question put.

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96. *Osburn's* information concerning a deſign to murder the King. See [*The Independents loyalty*] a Book ſo called

Upon Saturday, 17 *June* 1648, about one of the clock afternoon (moſt of the Houſe being gone to dinner, and very few Presbyterians left) the Speaker of the Houſe of Commons ſtood up and told the Houſe, that he had received Letters from *Richard Osburn* (he that projected to deliver the King out of the cuſtody of Colonel *Hammond* at *Carisbrook-Caſtle*) that he conceived the Letters tended only to the ſetting of us all together by the Ears; and proponnded, whether they ſhould be read or no? ſome were againſt the reading of them, but the Major part called to have them read; which was done accordingly. The Letter to the ſaid Speaker had a copy of another Letter encloſed in it, to the Lord *Wharton*, which bore date 1 *June*, 1648. to this purpoſe, *Giving his Lordſhip to underſtand, That upon private conference with Captain* ROLF *(a man very intimate with Colonel* Hammond, *and high in the eſteem of the Army) the ſaid Captain* Rolf *told him* (the ſaid *Osburn*) *that to his knowledge* Hammond *had received ſeverall Letters from the Army, adviſing him to remove the* KING *out of the way by Poyſon, or any other means, for it would much conduce to their affairs. But* (ſaid *Rolf*) Hammond *had a good allowance for keeping the* KING: *and is therefore unwilling to loſe ſo beneficial an imployment. But* (ſaith Rolf) *if you will joyn with me, we will endeavour to convey away the* KING *to ſome ſecret place, and we may then do what we will with him. Osburn* offers in his ſaid Letter, *That if he may come and go with ſafety, he would come and juſtifie the ſame upon Oath.* He likewiſe writ to the Speaker of the Lords Houſe about it. Then was read *Osburn's* Letter to Mr. *Lenthal* Speaker dated 10. *June* 1648. containing the ſame Narration, with an offer to appear, and make it good upon Oath if he might come and go with ſafety and freedom. The Clerk had no ſooner done reading this Letter, but with a ſleight neglect, and the laughter of ſome Members; the buſineſs was paſſed over without debate, and Mr. *Scawen* ſtood up to propound a new buſineſſe from the Army; when preſently, Mr. *Walker* interrupting *Scawen*, deſired to ſpeak a word to the late buſineſſe; and asked Mr. Speaker, *From whence that Letter came, and who brought it?* the Speaker called upon the Sergeant of the Mace, who anſwered, *The Letter was given him at the door by a man that he knew not; that he had many Letters and Papers*

'apers thruſt upon him of which he could give no account, but he vould endeavour to find the Meſſenger. Then Mr. *Walker* urged hat *ſuch an information coming to the Houſe ought not to be neg-ected whether true or falſe, but to be examined and ſifted to the ottom. If the* KING *ſhould die a naturall death, or any miſchance efall him, (the People calling to mind how little care we had taken f his ſafety) would never be ſatisfied with our proteſtation*; and loved, *that a Committee might be named to examine* Osburn, olf, Hammond, *and ſuch others whoſe names ſhould occur in the xamination.* This was ſeconded by Sir *Simond Dewes*, Mr. *Hen-y Hungerford*, Mr. *Edward Stevens*, and ſome others, who preſ-ed it farther, but received a ſlight anſwer. *That thoſe that deſi-ed to examine the buſineſſe knew not where to find* Osburn. *That* sburn was a Malignant, *and had attempted to ſet the* KING *t liberty.* To which Mr. *Walker* replied, *That the other day e had named a Committee to examine the buſineſſe concerning he Foot-boy that ſtruck Sir* Henry Mildmay, *and yet we neither new then where to find the Foot-boy, or what his name was. If we o but publiſh that* Osburn *ſhall with freedom and ſafety come and o, in caſe he appear to make good his Charge, either he will appear, or e ſhall declare him an Impoſtor, and puniſh him when we take him, nd clear the reputation of thoſe upon whom this Letter ſeems to eflect. Conſider how vaſt a difference there is between beating a ubject, and Killing a King. And if* Osburn *(whom I know not) be Malignant, yet unleſs you can prove him a Nullifidian, or a per-n convict of Perjury, both according to the Rules of Chriſtian harity, and in the charitable intendment of our Laws, his Oath i alid and good.* Then *Tho. Scot* ſtood up and ſaid, *That this preſſing or a Committee to examine this buſineſs, was but a device to draw olonel* Hammond, *and* Rolf, *up to Town to be examined, that he* KING *might the eaſier make an eſcape.* And Sir *John Evelin* of *Wilts*, alleged *that he conceived this was an invention of* Osburns *o bring the King to Town with Honour, Freedom, and Safety.* Then *Walker* ſtood up again, but was interrupted by Maſter *Hill*, nd not ſuffered to ſpeak, having already ſpoken twice. At the nd of almoſt every motion made for a Committee to examine he buſineſſe, either Mr. *Scawen*, or Major General *Skippon* ood up and offered to divert the buſineſſe by new matter con-cerning

cerning the Army, which uſually beareth all other buſineſſes down before it. At laſt thoſe few that moved for an Examination of this Information, having ſpoken as often as the Orders of the Houſe do permit, were forced to be ſilent; ſo the buſineſſe was buried in ſilence. I hear that ſome of the Lords called upon this buſineſſe the Monday following, being the 19. of *June*, and that the Lord *Wharton* being asked, *why he did not impart* Osburn's *ſaid Letters to the Houſe?* Anſwered, *That as ſoon as he perused the ſaid Letter he received from* Osburn, *and ſaw his name at the bottom, he looked upon the buſineſſe as not conſiderable:* yet he ſent the Letter to *Hammond*. Upon Tueſday, 20. *June*, The Lords ſent a Meſſage to the Commons; the firſt paper whereof concerned *Osburns* ſaid Letters: they deſired *that forty days might be aſſigned for* Osburn *to come and goe with ſafety to make good his information*. But Sir *William Armine* ſtood up, and deſired, *That the minutes of two Letters prepared to be ſent into* Holland *and* Zealand *concerning our Revolted ſhips might be firſt diſpatched, as being of preſent uſe*. And when the buſineſſe was ended, Mr. *Pierpoint* propounded another part of the ſaid Meſſage. So *Osburn's* Information was left *ſine die* for that time, but ſince, the Lords have quickned it, and 40. days are given to *Osburn* to come and goe with Freedom and Safety to make good his information; who is come, and avoucheth it; and one *Dowcett*, ſpeaketh much in affirmation of a deſign of *Rolfes* to piſtol the King. *Rolf* preſents himſelf at the Commons Bar with a Letter from *Hammond*, which denies the Deſign, and pleads *Rolfes* cauſe for him. *Rolf* denied it at the Commons Bar with a trembling voice, yet afterwards hid out of the way; but being diſcovered upon ſearch, he was found to have a Byle upon him, that diſabled him from riding, otherwiſe (it is thought) he would have fled far enough. I do not hear that *Hammond* is yet ſent for or queſtioned. And for *Osburn's* indeavour to convey his Majeſty from *Carisbrook-Caſtle*, it is alledged, he did it with a charitable intent to preſerve his life, and not of any diſaffection to the Parliament, to which he hath been affectionately ſerviceable. Though many take offence at Maſter *Walker*, as if his ſtirring of this buſineſſe were onely to caſt an aſperſion upon the Army; yet (I conceive) that what he did was commendable, in diſcharge of the duty he

owes

owes to God, his King, and Country, and of *his* truſt as a Member of the Repreſentative body of this Kingdom, and in performance of the obligations which the Oath of Allegiance, the Parliaments Proteſtation, the National Covenant, and the known Laws of the Land *lay* upon him, which duty he was bound to perform, (though *with* the extremeſt hazard of his life and fortunes) and though he may happily hope better things of this Army, yet ſince neither the Laws of the Land, nor common reaſon warrants him to preſume upon his own private hopes and judgment (things which often deceive the wiſeſt men in matters of far leſſe moment) he could do no leſſe then free his conſcience, by making the whole Houſe Witneſſes of the cleerneſſe of his actions and intentions. Conſidering,

1. The many high ſpeeches and threats often uſed againſt the King in all places, none excepted.

2. The dangers the King eſcaped from this very Army, which drove him from *Hampton-Court* to the *Iſle* of *Wight*; and may poſſibly purſue him thither.

3. The Antimonarchical Principles wherewith many Members of this Army, and their Chaplains, and many elſewhere are ſeaſoned, who cannot govern this Kingdome at their pleaſure by a military Oligarchy of Grandees of the Committee of Safety at *Derby-houſe* and the Army (and ſo eſtabliſh the Kingdom of the Saints) nor yet bring it to their own *level*, but by taking off *ſumma papaverum capita*, all that is high and eminent. There is a Crowned Head in their way which muſt be removed.

4. The corrupted fantaſies of many Antimonarchical Schiſmaticks with Revelations and Raptures, who ſerve the Devil for Gods ſake; making him the Author, and the doing of *his* will the pretence of all their crimes and villanies.

5. The many deſperate guilty perſons that fear peace; and are reſolved, now the Sword is out, to burn the Scabbard. Theſe look upon the King with an evil eye, as the Centre in whom all Intereſts muſt unite before we can have Peace. Deſpair tempts theſe men to make one ſin a degree and ſtep to a higher. Theſe three laſt ſort of men having caſt off all fear of God, will as eaſily contemn Gods ſubſtitute, the King; as he that caſts off all reverence to the King will contemn his ſubſtitute, a Conſtable.

6. The

6. The continual endeavours of the Grandees of *Derby-houſe* and the army, to put all the armes, Garriſons, Ships, and Strengths of the Kingdom into the hands of Antimonachical, Schiſmatical Independents: in order to which, they are raiſing of new Forces, and erecting new Garriſons in moſt Counties. Theſe men when they could not get a power from the Houſe of Commons to raiſe what Forces they pleaſed, (for when it was moved, they there ordered, *that no more motions ſhould be made for raiſing new Forces, but between the hours of ten and twelve*) yet what they could not get by their leave, they now take without their leave: the General granting Commiſſions for raiſing and liſting Horſe and Foot in almoſt all Counties; for example, Sir *Hardreſſe Waller* (that one eyed *Polyphemus* of Paſtebord) lately ſent forth Commiſſions in the County of *Devon:* (by virtue (as his Commiſſions ſay) of the power granted him from his Excellency) for raiſing, liſting, and training Horſe and Foot, which ſhall be no burden to the Country, but be in pay with the reſt of the army. In theſe Commiſſions he ſtileth himſelf *(untruly) Commander in chief of all the forces of the five Weſtern Aſſociat Counties:* and gave authority and encouragement to the well-affected (that is, to Independents, Sectaries, Antimonarchiſts, and the more deſperate, forlorn ſort of people) to enter into, and ſubſcribe Engagements, *to live and die with the Army* (an imitation of the Members Engagement) *in defence of the Parliament*, (that is, of the ingaged faction of Independents, Schiſmaticks, and corrupt perſons, whom only the army looks upon as the Parliament) witneſſe the Declaration of Sir *Thomas Fairfax*, and his Council of War, ſhewing the grounds of his advancing up to *London*. This uſurpation was complained of in the Houſe of Commons, Monday 19. *June*, and prohibited then by Order.

7. Peradventure the reaſon why this Letter was publiſhed ſo unſeaſonably in a thin Houſe, in ſo ſlight and ſurreptitious a way (as aforeſaid) was, in hope it would have been paſſed over in ſilence (as it had like to have been) and ſo the whole Houſe ſhould have been engaged in the crime (if any ſuch thing be intended) *guilty of connivance and negligence*, though *not as Actors guilty of the fact*. The main ſcope of this party hath ever been, *by Treaties of Accomodation, uniting all Intereſts*, and other devices, to involve

volve others in their crimes, to infect others with their diſeases; that all ſtanding in need of one and the ſame deſperate way of cure, may joyntly have the ſame friends and foes, and the ſame ſins and quarrels to defend.

8. Friday, 16 *June* 1648. I was told the Committee of *Derby houſe* had lately received a Letter from Col. *Hammond*, Governour of *Carisbrook* Caſtle, informing them, *That unleſſe they ſupplyed him with Money and Men, he could give no good account of the King, in caſe the Revolted ſhips ſhould attempt his reſcue*: and farther, *That he had matters of great importance to communicate to them, but durſt not commit them to Paper; but if they would ſend for him up, or ſend a Confident of theirs to him, he would impart them.* This may probably be the buſineſs whereof *Osburne* gives information in the ſaid Letters; and it may be Mr. *Walker* had heard of this report in the Hall, as well as my ſelf, and might have the ſame conceit of it, that I have; if it be lawful for me to take meaſure of another mans judgement by my own.

9. Laſtly, who knows whether a powerfull deſperate party, may have a deſign to take away the *Kings life*, and then declare his two eldeſt Sons uncapable of Government; ſuppoſing they deſerted the Kingdom, and invited forreign States to invade it: and then Crown the Duke of *Glouceſter*, and ſo (abuſing his tender years) uſurp the protection of him, and under colour of that authority, eſtabliſh (by degrees) their own uſurpation, and the peoples ſlavery; having ſubdued their ſpirits by a long and cuſtomary bondage, under them; and having filled all places of power, profit and preferment in the Kingdom with men of their own principles and Intereſts, their own creatures and Confidents? This army (laſt *April*) in their Council (amongſt other things) debated, *The Depoſing of the KING*, (why not murdering as well, ſince few Kings are depoſed and not murdered?) *Diſ-inheriting the PRINCE, and Crowning the DUKE of YORK*: which was then approved of by *Cromwell* and *Ireton*. Why may they not now diſinherit both the elder Sons, and Crown the Duke of *Glouceſter* as well? See the excellent *Remonſtrance* of the *Colcheſter* Knights and Gentlemen, 1648. which I have Printed herewith for your ſatisfaction. That ſome ſuch deſign might be to make away the *KING*, and diſinherit the PRINCE,

may well be ſuſpected; becauſe the 12. day of *July*, upon information, *That the Prince had ſent into* England *ſome Blank-Commiſſions to Liſt men*: *Weaver* (an Implement of the army, and Son to an Ale-houſe-keeper in *Wiltſh.*) moved the Houſe of Commons *to Vote the Prince a Traytor, &c.* And (I hear) that Mr. Solicitor (contrary to his Oath and duty of his place) *refuſeth to be of Council againſt the ſaid* Rolf; this Gentleman the Solicitor hath got above 300000l. by keeping open ſhop to ſell the cruel mercies of the new Great Seal to the Royaliſts.

97. *Trinity-houſe* Petition for a Perſonal Treaty.

The 29. *June*. A Petition was delivered to the Houſe of Commons from the Maſters of *Trinity-houſe*, Maſters and Captains of Ships and Sea-men, *for a Perſonal Treaty with the* KING; *declaring the great decay of trade, to the undoing of many thouſand families, and that they would not fight againſt the revolted ſhips, their Brethren, who deſired but the ſame things with them.* Tho. Scot ſaid, *That the* Surrey-men *firſt delivered a Petition for a Perſonal Treaty, which was ſeconded by the* Kentiſh-men *in Armes, and they by the City of* London: *that all this was a deſign to ruine the Godly party. That he had read of a man, who being asked when he was young, Why he did not marry? Anſwered, It was too ſoon: and being asked the ſame queſtion when he was old, Anſwered, it was too late. So he was of opinion there could be no time ſeaſonable for a perſonal Treaty, or a Peace with ſo perfidious and implacable a Prince; but it would always be too ſoon or too late. He that draws his ſword upon his King muſt throw his Scabbard into the fire. All peace with him will prove the ſpoil of the Godly.* To which was anſwered, *That ſome men got well by fiſhing in troubled waters; and accounted peace their ſpoil, becauſe war was their gain: and they looked upon a Perſonal Treaty as a deſign againſt them* (under the notion of the Godly, Honeſt, Confiding party) *becauſe a Perſonal Treaty was the high way to peace. But the generality of the people* (who were deſpoyled of their Eſtates by the War) *reſolved upon a Perſonal Treaty, without which there is no hope of Peace: they would no longer be made fuel to that fire wherein theſe Salamanders live; nor any longer feed thoſe Horſe-leeches,* (the army, their engaged party and ſervants) *with their blood and marrow.* It now appears who deſire a new War; namely, thoſe Zealots who ſupply their indigent fortunes by War. Theſe men fear peace, doubting they

ſhall

ſhall be forced to diſgorge what they have ſwallowed in time of War: *Ven, Miles Corbet, Hill* the petty Lawyer of Haberdaſhers hall, the two *Aſhes*, Col. *Harvy*, and many other thriving Saints, oppoſed a Perſonal Treaty; ſo their Petition had no ſucceſs. I hear that (not many days after) the Committee of *Derby-houſe* (to take off this affront) imployed Col. *Rainsborough* (the *quondam Neptune* of our Seas) to go up and down and ſolicit the common ſort of marriners to ſubſcribe, and preſent the Houſe of Commons with a counter Petition, wherein *they offered to live and die with the Parliament, &c.* and that *Rainsborough* gave 12d. a piece to as many as ſubſcribed it. This Petition was delivered.

98. The City Petitions for a perſonal Treaty.

The 2 of *July*, and after that (upon occaſion of the City Petition *for a Perſonal Treaty in* London) upon the 5 of *July*, the Houſe of Commons again took into debate a *Perſonal Treaty*. They ſpent much time upon the place where?

1. *Whether in the* Iſle of Wight? which the Independents principally affected.

2. *Holdenby?* which they next inclined unto.

3. *Or any his Houſes not nearer than* 10 *miles of* London, *at his own choice.*

4. *Or in the City* of London.

Which two laſt places the Presbyterians approved of, but chiefly *London*: for *London*, it was argued, *That the Common Council and Officers of the Souldiery would undertake for His Safety againſt all Tumults. In any other place he would be within the power of the Army; who might probably take him away again* (as they did at Holdenby) *if they liked not the manner and matter of the Treaty.* London *was a place of moſt Honour, Safety, and Freedom; and would beſt ſatisfie the* KING, *the* Scots, *the people: In all other places* (*eſpecially* the Iſle of *Wight*) *He would be ſtill a priſoner to the Army; and therefore all he ſhould agree to, would be void by reaſon of* Dures. Sergeant *Wyld* anſwered, *That* Custodia did not *always in Law ſignifie* Impriſonment; *Though He was under reſtraint of the Army, He was not in Priſon*; making a wyld kind of (nonſence) difference between *Reſtraint* and *Legal Impriſonment*, (which all but himſelf laughed at.) *The King cannot plead* Dures; *no man can impriſon or hurt the King in his politick capacity as King, though in his natural capacity as man, he is as*

paſſive as other men. To which was replyed, *That it had been frequently ſaid in the Houſe, the King was a priſoner. That there was no difference in Law, between a reſtraint and an impriſonment, whether legal, or illegal. A tortious reſtraint is called in Law, a* falſe Impriſonment. *That former Kings have avoided their own Acts by pleading* Reſtraint (*or Impriſonment*) *and* Conſtraint, *as* R. 2. *H.* 3. *That the King may as well plead* Impriſonment, *as the Parliament plead a* Force, which they have lately done. That the Kings Reſtraint in Law is *Arcta cuſtodia*, God grant it be *ſalva cuſtodia*; we have lately had Information to the contrary. The diſtinction between the Kings *natural* and *politick capacity* was Treaſon in the *Spencers*, and ſo declared by 2 Acts of Parliament in the time of *Edw.* 2. and *Edw.* 3. See *Calvins* caſe in my Lord *Cook* they are inſeparable by the Law. *Tho. Scot* argued, *That the City was as obnoxious to the Kings anger as any part of the Kingdom; and if the Treaty ſhould be in* London, *who ſhall ſecure us that the City will not make their Peace with the inraged King, by delivering up our Heads to Him for a ſacrifice, as the men of* Samaria *did the heads of the 70 ſons of* Ahab? It was farther moved, *That if the King came not to* London, *but to one of his houſes about* 10 *miles from* London, *That He might be deſired to give His Royal word to reſide there untill the Concluſion of the Treaty.* Col. *Harvy* ſlighted this motion, vilifying the Kings Royal word, and ſaying, *There was no truſt in Princes*; he alledged, *the Kings promiſes had been frequently broken; as when he proteſted the ſafety and privileges of Parliament ſhould be as precious to Him, as the ſafety of His Wife and Children, and within three or four dayes after came with armed Guards to force the Houſe,* and other inſtances which have been too often remembred, and ſhall be here omitted.

At laſt they fell upon a report, that the Committee of Lords and Commons had Voted, *They would not inſiſt upon the 3 Votes preparatory to a Treaty*, viz. *Presbytery, the Militia, and recalling all Declar. Procla. &c.* This was long argued to and fro. At laſt it was Voted, *that the King be deſired to aſſent to the ſaid 3 preparatory Propoſitions, and ſign them with his hand, to be paſſed as acts of Parliament when the King ſhall come to* Weſtminſter.

99. My Lord *Say's* diſcourſe about a Perſonal Treaty.

My Lord of *Warwick* had moved in the Lords Houſe about this time *for a Perſonal Treaty*, and was ſeconded by the Earl of *Northumberland*;

Northumberland; but my Lord *Say* oppoſed it, and prevailed a-gainſt it: afterwards my Lord *Say* in his way home viſited the Duke of *Richmond*, and amongſt other diſcourſe, told the Duke *He was ſorry to find ſo great an indiſpoſition to peace*, ſaying, *he had moved for a Perſonal Treaty, but could not prevail*; this was done upon hopes the Duke would have writ ſo much to the Queen, or Prince. But the Earl of *Holland* coming that day to ſee the Duke, and the Duke relating to the Earl what the Lord *Say* had told him, the Earl of *Holland* diſcovered the truth to him, and ſo poiled the deſign: you ſee the Devil doth not always own the endeavours of his ſervants.

The ſaid 5 *July*, the Speaker, as ſoon as he ſate in his Chair, 100. The news of the D. of *Buck* taking Arms.
larmed the houſe of Commons with the news of the Duke of *Buckingham's*, and the Earl of *Holland's* drawing into an hoſtile poſture; relating *they were* 2000. *that they intended to take* Lam-eth-houſe, *that the Bullets would preſently be about their ears if they did not riſe*; which put the zealots into ſuch a rout, that they preſently cried, *Adjourn, Adjourn, until Monday*; and had hardly ſo much patience as to hear any reaſons to the contrary; but this was but a counterfeit fear: the deſign hid under it was, to prevent the City from bringing in that day their Petition *for a Perſonal Treaty*, and to leave the whole power of the Houſe, during the Adjournment, to the Committee of *Derby-houſe*, to raiſe what Horſe and Foot they pleaſed, under colour of ſuppreſſing this In-ſurrection.

For when they found they could not prevail to Adjourn, they 101. *Skippon* autho-rized to raiſe 1000 Horſe.
moved for power to be given to Maj. Gen. *Skippon* to raiſe Horſe, whether to poſſeſs the Avenues and paſſages from the City to the Earl of *Hollands* army, or to keep the City under the terror of a Horſe-Guard, is doubtfull.

And the ſame day Mr. *Swinfin* reported from the Committee 102. A Report from *Derby-houſe* that the Members ſhould underwrite for maintaining of Horſe.
of Safety, *That they offered to the Conſideration of that Houſe, that it was fit the Houſe ſhould have a Horſe-Guard, and that every Member ſhould underwrite how many Horſe he will pay for 10 days.*

This is refuſed by ſome Gentlemen upon theſe grounds.

1. *It bears the aſpect of an Impoſition or Tax ſet upon the Houſe by their Committee.*

2. *The Members have not ſuffered alike; and therefore cannot*

do

do alike, ſome have loſt much and got nothing, others have got much and loſt nothing: and it is not equall that Loſers ſhould bear equall burthens with Getters, and contribute out of their Loſſes to maintain other mens Gains, and preſerve them in their rich Offices, and Biſhops Lands purchaſed for little or nothing. Gentlemen are made Beggers and Beggers Gentlemen.

3. *It is a dividing motion tending to lay an imputation of Malignancy and diſaffection upon thoſe that cannot, as well as thoſe that will not ſubſcribe, and ſo gives a great advantage to the Gainers over the Loſers,* which the Loſers have no reaſon to ſubmit to.

4. *A Perſonal Treaty being now in debate, this motion makes many Members forbear the Houſe, who cannot grant, and dare not deny: It carries with it therefore ſomething of deſign and terrour, and ſo takes away the liberty of Parliament, which when ſo weighty a buſineſs is handling ought to be.*

If this Horſe Guard be raiſed, how ſhall we aſſure our ſelves they ſhall be Disbanded after ten days, being once under Command? It is therefore a ſubtile, malicious, tyrannous act, for the Committee of Safety to put ſo tempting a motion upon the Houſe, and give men cauſe to ſuſpect that ſomething of Deſign and Danger lies hid under it.

103. The device of a forged letter

About this time a Letter without any name ſubſcribed, was left at Major General *Brown's* houſe, in his abſence: conſiſting of two parts.

1. *A Preamble, of great reſpect and love born to him by the Epiſtoler for his fair carriage to the King, and good affection to peace, and reconcilement with the King.*

2. *An Admonition to look to himſelf, and moderate his Actions, the Army looking upon him as their onely Enemy, and Opponent in the City, leſt they ſhould ſeize upon him and carry him away, or do him ſome other miſchief.* This is conceived to be an Independent mouſe-trap ſet up to catch a Presbyterian in; for if the Major General had not diſcovered the ſaid Letter, and it had been found about him, or in his Houſe; or if it had been teſtified that ſuch a Letter was left at his houſe and concealed: here had been matter enough for an Impeachment againſt him.

104. Correſpondency with *Card. Mazarini.*

The Grandees of *Derby-houſe* and the army ſolicit the detaining of the PRINCE in *France*, and the delaying of his journey

journey for *England*, leſt he trouble the yet unſetled Kingdom of the Saints. To negotiate which, they have an agent lying Lieger with Cardinal *Mazarini* (the great French inſtrument of State) who is ſo well ſupplied with Money, and ſo open handed, That it hath been heard from *Mazarin's* own mouth, *That all the money the Queen and Prince hath coſt the Crown of* France, *hath come out of the Parliament Purſe with a good advantage.* It is likewiſe ſaid, *Mazarini hath an Agent here, to drive on the Intereſts of* France *in* England.

The Grandees in reference to the pulling down of Monarchy, and the eſtabliſhing of their Oligarchy or Tyranny (contrary to their Remonſtrances, Declarations, the National Covenant, and their late Vote, *That they would not alter the ancient form of Government by King, Lords, and Commons*) have cauſed the Book written by *Parſons* the Jeſuit, 1524 (under the feigned Name of *Doleman*) and called [*A conference about the ſucceſſion of the Crown*] to be publiſhed, under the Title of [*Several Speeches delivered at a conference, concerning the power of Parliaments, to proceed againſt their Kings for miſ-government.*] *Parſons* had made his Book a *Dialogue*, theſe men have made it into *Speeches*. The Arguments and Preſidents are meerly the ſame; you ſee they can joyn Intereſts with *France*: Doctrine with the Jeſuits, to carry on their deſign, and reduce us to the condition of *French* Peaſants or Slaves, under the Kingdom of the Saints. *Doleman's* Book was condemned by act of Parliament, 35. *Eliz.* But what care the Grandees for acts of Parliament, having fooled the people into a belief, That both the *Legiſlative* and *Judicative* power is in the two Houſes of Parliament without the King, and that an *over-powering party or Junto in the two Houſes* (complying with an army to keep the reſt under force and awe) *is the Parliament.*

Doleman's Antimonarchical Book printed. 1606.

See the Concluſions, 15, 16, 17.

The Parliament conſiſteth of 3 *Eſtates.*

1. The *King*, whom the Law calleth, *Principium, Caput & finis Parliamenti*: and therefore he only can *Call*, He only can *Diſſolve* a Parliament, and is himſelf called and choſen by none, being *primus motor*, that animates all.

The Legiſlative, Judicative power, and the Militia, where they reſide.

2. The *Lords*: who have their creation and vocation only from the Kings bounty.

See the Concluſions, 15, 16, 17.

3. The

3. The *Commons*, who have their *ſummons* onely from the Kings Writ, though their *election* from the people; and in that reſpect only (the people being too diffuſed a Body to be Aſſembled) they have ſomething of *Repreſentation* in them, being the Epitome of the people. Theſe 3 *Eſtates* concurring, have power to *make new Laws, to change or repeal old Lawes*, and in ſome *doubtfull caſes rarely hapning* (which the Judges dare not venture upon) they have power to *interpret the Lawes*. This is a wiſe and politick conſtitution, for *if any one, or any two of the ſaid three Eſtates* ſhould make new Laws, Change, Repeal, or Interpret old Laws, arbitrarily and at pleaſure, *without mutual agreement of all the three Eſtates*, it were in the power of *that one or two to enſlave the other Eſtate or Eſtates ſo omitted*. Beſides, the Law doth not favour the making of new Laws, nor the changing and repealing of old Lawes, being an innovation that ſtirs too many humors in a body politick, and indangers its health, and brings contempt upon the Laws: *Leges priuſquam latæ ſunt perpendendæ, quando latæ, ſunt obediendæ*, ſaith *Ariſt. Pol. But though all 3 Eſtates muſt aſſent to the making, altering or repealing a Law, yet any one of the 3 Eſtates hath a Negative Voice*, and may diſſent from ſuch making, altering or repealing, to avoid innovation, as aboveſaid. How then can the two Houſes of Parliament exerciſe the Legiſlative power, and make, change or repeal any Law by Ordinance, without the King, (the firſt Eſtate and head of the Parliament) and ſo deprive Him of His Negative Voice, and the people of their Laws, Liberties, and Eſtates, contrary to 9. *H.* 3. *Magna Charta*, 1 *part. Inſtit. ſect.* 234. *in fine.* 7. *H.* 7. 14. eſpecially when this very Parliament declares in the *Exact Col.* 1 *part. p.* 727. *That the King hath a Negative Voice, and that Bils are not Laws* (or Acts of Parliament) *without the Kings aſſent* (conſequently not Ordinances.) And as the two Houſes take upon them the *Legiſlative power* without the King, ſo in the caſe of the 4 Aldermen and Sir *John Maynard*, they uſurped a *Judicative power* in caſe of Treaſon tryable in the Kings Bench: yet it is moſt certain, that when the 3 *Eſtates in Parliament have paſſed any Act, their power determines as to that Act, and then the Authority of the Judges begins*, which is Judicative: whoſe Office is (upon caſes brought before them) to determine *whether that Act be binding or no*; (for

2 H. 5. 4. H. 7. c. 18. 12. H. 7. c. 10 1 Ja. c. 1. 2 Ch. c. 1.

Acts

Acts of Parliament *againſt common right, Repugnant, or Impoſſible,* are Void (*Cook* 8. *f.* 118. Dr. and Student, *l.* 1. *c.* 6.) *and to expound the meaning, and ſignification of the words of ſuch Act.* If therefore the 2. Houſes uſurp the *Legiſlative* and *Judicative* power, or the *Militia*, otherwiſe then hath been by the fundamental conſtitution of this Monarchy, and the practice of all ages accuſtomed, the Grandees of the two Houſes and army ſeem to lay claim to them all by the Sword, for in the late Declaration againſt the Scots Papers, *p.* 64. they ſay, *That they engaged in this war upon theſe principles*, viz. *To keep the Legiſlative power, and the exerciſe of the Militia, without and againſt the Kings conſent:* and *p.* 63. *ibidem*, the Members tell us, *that in all matters concerning Church and State, we have no judge upon Earth but themſelves.* It follows then, the Grandees do it to ſubvert the ancient Government, Laws and Liberties of this Nation; and eſtabliſh a Military Oligarchy, or the Kingdom of the Saints over us in themſelves. In order to which deſign they have put all things out of order, and turned them upſide down; nay, they have crucified the whole Kingdom with Saint *Peters* Crucifixion, the head downwards, and the Heels upwards.

When this King went into *Scotland*, He compared the Common-wealth to a Watch, which they had taken in pieces; and adviſed them to keep every piece and pin ſafe, and put all in their right places again; but now all the principal pieces are either broken, or loſt. God grant them to number their hours better hereafter, and to cloſe well with our Maſter Work-man; for though this Kingdom hath always been *Ruled by King, Lords, and Commons*; yet by the KING, *architectonicè*; and by the *other* Two, *organicè*; the King as the Architect, the Lords and Commons as His Inſtruments; each in his proper ſphere of Activity, without interfering: and till this again come in uſe, look for no peace.

The Independent Grandees of the Parliament and army are much offended with the City, and their adherents, in Petitioning for a Perſonal Treaty with the King, and give out, *That when they have done with* Colcheſter, *they will humble the City, and bring it to better obedience*, for which purpoſe, they have already taken all the *Block-houſes*, upon the River Eaſt of the City, *Windſor-caſtle* Weſt of the City, and are now fortifying *Giddy-hall* neer *Rumford*

aſpect upon the City and perſonal Treaty.

Rumford in *Eſſex* South from the City; the like they intend at *Hampton-Court*; and to build a Fort upon the *Iſle of Dogs*, to keep under the Sea-men: whereby, poſſeſſing the principal ways, and Avenues to the City, they ſhall neither feed, nor Trade, but at the diſcretion of the army. In the mean time the Cities deſires of a Perſonal Treaty are delayed and made fruſtrate by a tedious conference between a Committee of Parliament, and a Committee of Common-council. And Counter-Petitions againſt a Perſonal Treaty are ſent about by Alderman *Gybs*, *Foukes*, *Eſtwicke*, *Wollaſton*, *Andrews*, *Nye* the Independent Prieſt, and others, (who hold rich Offices by favour of the Grandees) to be ſubſcribed even by Apprentice Boys; whereby it appears the Independents have no intent to make peace with the King, but to engage in a new War, thereby to continue their army, and our Slavery.

The yearly Income they raiſe upon the people under colour of this War, (beſides the Kings Revenue, Sequeſtrations, and Compoſitions) amounts to three Millions ſterling *per annum*, being ſix times as much as ever the moſt greedy & burdenſom of our Kings raiſed: where our Stewards hide theſe our Talents (publick Debts and Arrears being unpaid) were worth finding out, if any but the Devil could give an Account thereof. But this is an unſoundable Gulf, here my plumb-line faileth me.

108. Major Gen. *Skippon*'s complaint.

The 10. of *July*, Major General *Skippon* complained in the Houſe of Commons of a printed Paper, called, [*A Motive to all loyal Subjects, to endeavour the preſervation of his Majeſties Perſon*] wherein (he pretended) he was falſly and ſcandalouſly ſlandered for ſpeaking ſome words in the Houſe to divert the Examination of Mr. *Osborn*'s Charge againſt *Rolf*. The Houſe (that is, the Independents) were as diligent to become his Compurgators, and vindicate his credit, by paſſing and Printing 5. Votes for him, as they had formerly been to ruine the *KING*'S Honour by paſſing a Declaration againſt Him. This fellow *Skippon* was heretofore Waggoner in the Low-countries to Sir *Francis Vere*, after that came over into *England* a poor forlorn Commander, and obtained of the King his Letters of Commendation to keep a kind of Fencing School in the City Military yard, and teach the Citizens the poſtures of the Pike and Musket, and Train them; where he wore the mask of Religion ſo handſomly, that he ſoon

inſinuated into their favours, and found them very bountifull Patrons to him; there he got his fat belly, and full purſe; from the City he became Major Generall to the new-modelled army: and obſerving ſome diſcontents ariſing between the City and army, and being willing to keep two ſtrings to his bow, that he might uphold his credit with the City, he voluntarily ſubmitted himſelf to ſome affronts, purpoſely and politickly put upon him in the army; and yet that the army might underſtand him to be their creature, he marched with the army in their Triumph through the City, ſtill carrying himſelf as a moderate reconciling man, and ſweetning the inſolencies of the army, by making milde and fair interpretations of their actions: yet ſtill ſo much magnified the power of the army, as if he would perſwade the City they were beholding to the army, for making no worſe uſe of their ſtrength againſt them: Thus (as many other moderate, prudential men do) he lay a good while undeſcried in the boſome of the City, and there as a Spie and Intelligencer kept Centry for the army, untill ſuch time as the City petitioning the Commons for *reſtoring of their own Militia to them again*, the Council of the Army, (to mock them with an uneffectuall *Militia*) by their engaged party in the Houſe, and the Committee of *Derby-houſe* (of which Cabal *Skippon* is one) cauſed their confiding man *Skippon*, not only to be named of the Committee of the *Militia* (although no Citizen) but to be obtruded upon the City as their *Major General, Commander in Chief of all their Forces*, without whom nothing is to be acted. This being reſented and oppoſed, as contrary to the Cities Charter and Liberties, *Skippon* found he was diſcovered, and then (taking advantage of the Earl of *Holland's* going forth into arms) upon a report from the Committee of *Derby-houſe*, the Commons ordered, *that a Party of Horſe ſhould be raiſed and liſted under Skippon: Skippon* by vertue of this Order granted Commiſſions to divers ſchiſmaticall Apprentices to raiſe men underhand, and authorized the ſaid Commiſſioned Apprentices to grant Sub-commiſſions again to other Apprentices under them for the like purpoſe: This was pretended to prevent Tumults and Inſurrections, but indeed it was to joyn with the Independent party of the City, and the army, (when they have done their work at *Colcheſter*) in purging the Presbyterians out of the Common-councel and Parliament; in

reference whereto, the army have reſolved not to march Northwards againſt the *Scots*, untill they have brought this City to more abſolute obedience, or laid it in the duſt, according to *Cromwel's* advice; as a preparative to which deſign, the prevailing party in the Houſe, *July* 15. (hand overhead) Voted, *All ſuch* Scots *as are come into* England *in hoſtile manner, without conſent of both Houſes of Parliament of* England, *Enemies to the State; and all ſuch* Engliſh *as do or ſhall adhere to, aid, or aſſiſt them Traitors:* and the next day following, *Weaver* openly in the Houſe affirmed, *that the* Scotiſh *deſign of D.* Hamilton, *the* Colcheſter *deſign, and that of the Earl of* Holland, *were all begun and carried on in the City of* London: to which *Ven*, the two *Aſhes*, *Harvy*, *Scot*, *Miles Corbet*, *Blackſtone*, Sir *Peter Wentworth*, and others gave applauſe: ſo here a foundation laid for a new Charge againſt the City, when the army are at leaſure to make uſe of it. This Hypocrite *Skippon*, when he had ſpoken any thing in the Houſe prejudicial to the King or City, about a Week after (when the venom he hath ſpet hath wrought its effect, and is paſt remedy) uſually complains in the Houſe, *that his words are carried forth of the Houſe, and maliciouſly and falſly reported in the City to his diſgrace and danger*, and repeating in a more mild and qualified way ſome part of what he had formerly ſaid, appealed to the Houſe, *Whether that were not the full truth of his words?* When the Houſe, having forgotten his former words, no man can, and (for fear of the envy and malice of a powerfull Faction) no man will contradict him; this is his way of Apologizing and clearing himſelf. He hath got above 30000l. in his purſe, beſides 1000l. a year land of Inheritance given him by the Parliament. He hath ſecured his perſonal Eſtate beyond Sea, and his Wife and Children, and thereby withdrawn all pawns and pledges of his Fidelity both out of the power of the Parliament and City, and is here amongſt us but in the nature of a *ſouldier of fortune*.

Yet they knew they came in by Authority of the Parl. of *Scotland*.

106. D. Hamiltons Army Voted Enemies.

Note, that upon the ſaid 15. day of *July*, when the debate was *for Voting the* Scots *that were come in, Enemies, &c.* the firſt queſtion was put, *that all ſuch* Scots *as are, or ſhall come into* England, *in hoſtile manner, without conſent of both Houſes of the Parliament of* England, *were Enemies, &c.* but upon farther debate, the words (*or ſhall*) were left out, upon this Conſideration, *that the Earl of* Argyle *might happily come into* England *with a Party, and fall upon*

upon Duke Hamilton *in the rear to divert him.*

July the 20. The Speaker told the Commons, *that Major Gene-* 110.
ral Lambert *had made ſtay of a Scotiſh Gentleman, one Mr.* Haly- D. *Hamilton's*
barton *who paſſed through his quarters with Letters from D.* Ha- Letter and
milton, *to the two Houſes, and the King; that he found about Mr.* Declaration
Halybarton *divers private Letters, for the carrying of which,* brought to
he had publiſh no Authority, and therefore Lambert *made bold to* the Houſe.
ſeal thoſe private Letters in a packet by themſelves with his own ſeal and Mr. Haly-bartons: *That* Lambert *had ſent up Mr.* Haly-barton *with one Lieut. Col.* Osburn, *a Godly Scotiſh Gent. and* 111.
another Keeper, in nature of a Priſoner. This *Osburn* delivered that L. Col. *Osburn*
private packet to the Speaker; ſo a Committee was named to per- a fugitive Sco
uſe that private packet, and *Osburn* was called in to ſpeak what he knew; who delivered at the Bar, *that the Godly party in* Scotland *were oppreſſed and trodden under foot by Duke* Hamilton's *party, that their very ſouls were afflicted at his proceedings, that the Kirk of* Scotland *with one mouth proclaimed in their faces their engagement and proceeding thereupon to be damnable and deſtructive: he deſired the Houſe not to look upon theſe proceedings as the Act of the Nation of* Scotland, *ſince there were a great many Godly men who hoped the Lord would enable them in his good time to march into* England *with the Marqueſſe of* Argyle *and fall into the rear of Duke* Hamilton *with a diverſion.* He reported *the* Scots *that came in to be but* 8000. *Horſe and Foot, and* Langdale *but* 2000. Then was read the Letters of D. *Hamilton,* wherein *He complaineth no anſwer had been given to the Parliament of* Scotlands *juſt deſires of the* 26 April *laſt, that by authority of the Scotiſh Parliament he was neceſſitated to come into* England *according to the Covenant, and not without the invitation of divers wel-affected Engliſh who had taken the Covenant.* There was a Declaration incloſed in the Letters, which the prevailing party obſtructed the reading of (yet the Lords having printed it, they have ſince read it in the Houſe) and preſently the queſtion was put, *that all ſuch Engliſh as have invited the* Scots *under D.* Hamilton *to come in hoſtile manner into* England, *ſhall be declared traytors*: and carried in the Affirmative. I formerly told you, that about 12 *July, Weaver* moved, *that the Prince of Wales might be Voted a Traitor*: what they could not then carry with a fore-wind, they now brought in again with a ſide wind; but who doubts but the Prince invited in the

the Scots to the relief of his Father and himſelf oppreſſed and im priſoned, contrary to the Solemn League and Covenant, by a Re belliou: army, and a ſchiſmatical party of both Houſes engage with the ſaid army: *And that the Scots are come in according the Covenant only?*

112. A motion in the Houſe of Commons to Bayl *Ralf.*

A little before this time *Tho. Scot*, Sir *P. Wentworth*, *Blackſton* C. *Harvy*, *Hill* the Lawyer, and others preſſed the Houſe wit much earneſtneſs to *Bayl* Rolf, *committed Priſoner to the* Gate houſe *upon the Complaint of Mr.* Osburn *for endeavouring to mak away the* KING: uſing many words in his commendation for h *godlineſs and faithfulneſs*, and complaining of *his hard uſage in Pri ſon* where he lay amongſt *Rogues*. It was oppoſed by many, be cauſe *High Treaſon is not baylable by the Law*, neither *is the Hou of Commons a Court of Judicature*; and therefore can *neither Im priſon, nor Bayle any* but their own *Members*. At laſt Mr. *San Brown* moved, *that a Committee might examine the buſineſſe fe matter of Fact, and report to the Houſe, and then the Houſe* (*if the ſaw cauſe*) *might Bayl him; and bind over Maſter* Osburn *to pro ſecute him next term in the* Kings-bench. This motion took e fect, and great care was take for the preſent, that *Rolf* migh have better entertainment in the *Gate-houſe* according to his qua lity; having been not long ſince a Shoo-maker, one of the *Gentl craft*.

113. The Speakers Warrant to ſearch for the Foot-boy that beat Sir *Hen. Mildmay.*

About this time, 2. Files of Musketiers, by warrant from th Speaker of the Houſe of Commons, came in the dead time of th night to the Houſes of Sir *Paul Pynder*, and Alderman *Langhan* pretending to ſearch for the Foot-boy that beat Sir *H. Mildma* They forced open the doors of Sir *Pauls* houſe, and ſearched wit great diligence; but could not do the like at Alderman *Lan ham's*, who being guilty of having ſome Money in his Houſe, dur not adventure to obey the Warrant and open his doors; nor ha he reaſon to do it, his Houſe (by the Law) being *his Caſtle of D fence, the privilege thereof not to be violated but in caſe of Felony treaſon*. Compare the diligent proſecutions in the behalf Sir *Henry Mildmay*, with the ſlack and negligent proceedings i the behalf of the King, and you will find a new practical La (contrary to the old known eſtabliſhed Law) *that a treſpaſſe gainſt a Grandee* (though but a Subject) *is more than a treaſon gainſt a King*.

Fear

louſies ariſing from ſeveral Informations (as that of *Cropley* and *Hyde*, called, *The Reſolutions of the Army*) and diverſe other Symptomes of danger, but eſpecially *Skippons* ſecret Liſting of Schiſmatiques in the City amongſt the Congregations of Mr. *Goodwin*, Mr. *Patience*, and others, with power given him to kill and ſlay; his liſting ſervants againſt their Maſters, and ſetting up a Power againſt a Power had provoked that dull beaſt *the City* to know their own ſtrength, to look into their Charter and the Cuſtomes of the City, and to Counter-liſt in their own defence: for which purpoſe, they paſſed an Act of Common Council, dated 27. *July* 1648. which was ſoon complained of in the Houſe of Commons by *Ven*, *Harvy*, *Pennington*, and other ill Birds of that Corporation, who uſually defile their own neſts, after many aggravations; that after they had fought with the King for the *Militia*, any power out of the Parliament ſhould preſume to exerciſe it: a Committee was appointed to Treate with a Committee of the Common-Council, *to hear what they could ſay for themſelves, and by what authority they claimed the uſe of their own Militia.* The Committees met, and amongſt other things the ſaid queſtion was asked, *by what authority they liſted men?* To which was anſwered, *That they did it by the Law of Self-defence, warranted by the Law of God, of nature, and of the Land*: and by a farther Authority, to queſtion which, would make ſtirre for the advantage of the Parliament: This myſterious anſwer ſtopped the mouthes of the Parliament Committee. If *London* ſhould plead their Charter and uſages, other places might doe the like; ſo this buſineſſe was ſhut up in ſilence. Note that many Sectaries of *Weſtminſter*, *Southwark*, and the *Hamlets* have been invited and countenanced to petition the Houſe of Commons *againſt uniting their Militia's with* London, *upon pretended cavils:* As that they deſired to have equall number of Voices in the *Militia* with *London*: But ſince *London* beareth 7. parts of 9. in the charge, it is an unreaſonable demand. 114. Fears and jealouſies cauſe the City to aſſume the power of their own Militia.

By Orders (as is thought) from *Derby-houſe*, Colonel *Jones* Governour of *Dublin*, hath ſeized upon moſt of the Presbyterian Commanders thereabouts, & ſent them Priſoners to *Weſtcheſter*, as Sir *Maurice Euſtace*, Sir *John Gyford*, Col. *Willoughby*, Colonel *Flower*, Major *Stephens*, Major *Caprou*, *&c.* to make room for Independent Officers in his Army, *that the Saints only may poſſeſſe* the The Governor of *Dublyn* ſeizeth and ſendeth over Priſoners the Presbyterian Commanders.

the good things of this world; but chiefly, that his Army being Commanded by Antimonarchical Schismaticks may the better sympathize and unite with the Antimonarchical Papists in *Owen Roe Oneal's* army, against the Lord *Inchiquin*, whereof the said Lord hath given some hint, as I have afore said. You see the predominant Principle is *Antimonarchy*, which easily oversways *Religion* on both sides.

116. A Frigot of the Princes taken with many Letters and Commissions.

Sir *Miles Levesey* having casually taken a little Frigot of the Princes, called the *Christopher* manned with one Captain *Green*, and 8. men, took divers Commissions in her, and a Letter of Mart, granted to the said Captain *to make prize of Rebels and Enemies Goods*, and a paper of Instructions, prohibiting *Green to use any Hostility untill the Prince had published his Declaration, and until it were designed who were His Enemies*; other writings were then taken, which were referred to a Committee of the House of Commons to peruse and report. Mr. *Lechmore* reported from the said Committee, *That some of those writings were not fit to be published in the House*, (hereby you see that the House is already divested of that power and Authority which the People have Trusted only them with, & all is now usurped by confiding Sectary Committees) so Mr. *Lechmore* reported, *That there was an Adjudication out of the Princes Admiralty held in the* Isle of Jersey, *whereby a ship belonging to one* Tucknell *was adjudged against him, upon this ground given in the Adjudication, That* Tucknell *had taken that* damnable Oath *called* [*The National Covenant.*] I appeal to any man, that doth not hastily beleeve all he hears, whether it be probable the Prince (in such a conjuncture of time, when the Parliament it self says, *That the Prince invited the* Scots *to invade* England, *and had declared for them*) would hazard the losing of the *Scots*, by inserting such a clause in the Adjudication? *All is not* Gold *that glisters*; these Letters may be St. *Martins* ware, counterfeit stuff.

A design to seize on divers Presbyterian Aldermen, Lords and Commons.

About this time (it is reported by some that profesſe to know it) there was a design for *Skippon's* new listed-men to seize upon Alderman *Langham*, Alderman *Bunce*, and some of the Lords and Members of the House of Commons in the night; whereof notice being given, some of the Members knowing that Treachery (like the Basilisk dies if it be first seen, to shew that it was discovered, caused one of their Party in the House, to move, *That*

pon

Skippon *might be Ordered not to ſeize on, kill or ſlay any Member of either Houſe.*

118. An Ordinance for the Earl of *Warwick* to fight the Prince at Sea.

An order paſſed the Houſe of Commons for the Earl of *Warwick, to fight the Prince at Sea.* It was ſent up to the Lords, and paſſed that Houſe too; whereby it became an Ordinance. Yet ſome of the Lords entred a proteſtation againſt it, as the Earls of *Lincoln, Suffolk*, Lord *North.*

119. More endeavours of the Independents in favour of *Rolf*

2. Of *Auguſt*, The Zealots of the Houſe of Commons fell igain upon the buſineſſe of *Rolf* at an unſeaſonable hour of the lay, and in a thin houſe. They ordered *a Conference with the Lords bout him*, and *that the Lords be deſired to joyn with the Commons in aying of him*; and yet, for Treaſon, a man is not Baylable by Law. cannot hear that Mr. *Osburn's* time of ſtaying with Freedom and afety to proſecute *Rolf* is renewed by the Commons, although it e expired; you ſee the Iron-bound Saints of the Army are im-egnable, even againſt High Treaſon; if this Puny Saint be ſo in-iolable, what hope have Major *Huntington*, and *John Lilbourn* to e heard againſt *Cromwell*?

For if the man ſuch freedom have,
What then muſt he that keeps the Knave?

Yet if *Rolf* had but baſtonadoed Sir *Henry Mildmay* (and at's no great matter) peradventure he had been proſecuted in rneſt.

120. A Letter from the Earl of *Warwick* for Martial Law at Sea.

Thurſday, 3. *Auguſt*, a Letter from the Earl of *Warwick* was id in the Houſe of Commons complaining *of the Refractorineſſe the Sea-men, and that he could not govern them without a Com-ſſion for Martial Law*; which was readily aſſented to; as any ing that cries up Arbitrary power, above the known Laws, uſu-y is. But how this will agree with the diſcipline of the ſea, and w they will fight being ſo yoaked, I know not.

121. A Letter from the Parliament to the Aſſembly of the Kirk of *Scotland.*

The ſame day a Letter paſſed the Houſe of Commons, directed the Aſſembly of the Kirk of *Scotl.* ſetting forth what the Par-nent had done in way of ſetling peace, reforming the Church l Univerſities, and maintaining the Covenant and union be-een the two Nations, and complaining of Duke *Hamiltons* In-ling *England* under the Authority of the Parliament of *Scot-d*, to the Kirk there. How dangerous this preſident may ve to both Kingdoms, to make a few ambitious, pædantical rch-men ſupreme Jugdes ouer Parliament and State-affairs,

in ordine ad Deum: and how apt they are to lay hold upon ſuch occaſions, and kindle their zeal into a conſuming flame, I leave to all wiſe men to judge.

A Declaration and 2. Letters from the Prince, to the City. The Commons Debate upon them.

Thurſday, 3. *Auguſt.* The Sheriffs of *London* and ſome of the Common-council brought to the Houſe the Copies of two Letters they had received from the PRINCE; one directed to the Common-council, *expreſſing his Highneſſe good affection to Peace, and to the whole City; and his endeavours to vindicate his Fathers Liberty and juſt Prerogative and Rights; to reſtore to the People their Laws, Liberties, and Property, to free them from that bondage under which they were now held like a Conquered Nation, to eaſe them of Exciſe and Taxes, to ſettle Religion according to his Fathers Agreement made with the* Scots, *and to reduce all things into their ancient and proper Chanel.* This Letter was accompanied with his Declaration to the ſame purpoſe. The other was to the Merchant Adventurers, *Informing them he had made ſtay of* 3. *of their ſhips, but without any intent to make prize of them, deſiring to borrow* 20000l. *of them to be repayed out of the Cuſtomes, and requiring their ſpeedy anſwer.* To which Col. *Harvy* (firſt aggravating many faults in the King's Government, according to the ſcandalous Declaration againſt him) ſaid, *The Prince was his Fathers own Son, as like him as could be. That he had invited the* Scots *to come in, and declared for them; and had been formerly in Arms againſt the Parliament. That he was but a ſubject*; And moved the Houſe to declare him a *Rebel and a Traytor.* Sir *Peter Wentworth*, Mr. *Knightly*, and Mr. *Blackſtone* ſeconded him with much earneſtneſſe; ſo did *Edward Aſh*, who farther moved, *That the Common-council and Merchants ſhould give no anſwer to his Letters*, ſaying, *there was no danger the Prince ſhould make prize of their ſhips, for that he had engaged to the States of the* Low-countries *to do no act prejudicial to Trade.* At laſt the Debate was put off until the next day, being Friday: when the Speaker putting the Houſe in mind of it again, It was earneſtly called upon by the younger Sir *John Evelin* (Mr. Solicitors ſhadow) *Scot, Weaver, Holland, Boys*, and almoſt all the Godly Gang. So the Debate was reſumed: and *Weaver* went very high to try the temper of the Houſe. But the Debate *in Terminis*, That *the Prince ſhould be declared a Rebell and a Traytor*, was ſoon laid by (though violently preſſed) chiefly upon theſe reaſons.

1. That

1. That they had not the Originals of the Princes Letter and Declaration, (which the Common-Council ſtill kept) but onely Copies, not ſo much as atteſted upon Oath by any authenticall Clerk; therefore no legal proceedings could be upon them.

2. To Vote the Prince a Traytor the ſame day when they ſent Meſſengers to invite the King his Father to a Treaty of Peace, would argue no peaceable inclination in them, and would be ſo underſtood by the People.

3. They were engaged by the Nationall Covenant to defend he King's Perſon, Crown and Dignity; but the Prince, Heir apparent to His Crown, was (next under God) the chief ſupporter f his Crown and Dignity, therefore to Vote him a Traitor was o ſubvert his Crown and Dignity.

4. By the Stat. 25. *Edw.* 3 it is *High Treaſon to endeavour the eſtruction of the Prince, the Kings eldeſt Son*; but to declare him Rebel and a Traitor, was to endeavour to deſtroy him; and therefore High Treaſon.

5. The people were already jealous that the KING and His oſterity ſhould be laid by; and in them the Monarchical Government of this Nation ſubverted, and a new form of Government introduced; they had already by the Votes of *No Addreſſes the KING*, and by their Declaration againſt Him (wherein ney ſay, *They can no longer confide in Him*) laid by the KING, nd now to Vote the PRINCE a Rebel and a Traitor, was to y by both him, and his Brother the DUKE of *YORK*, who aderes to him, which would exceedingly confirm the people in eir fears. But what they could not do expreſly, they did imicitly, by Voting *All that ſhould adhere to, aid, or aſſiſt the* RINCE, *Rebels and Traytors:* Hereby they put a tie upon the ity not to redeem their Ships, by lending 20000l. to the Prince; yet had a Pirat taken them, it had been lawful to redeem them.

All here to the Prince, declared Traytors

Saturday, 5. *Auguſt.* The Houſe of Commons went upon the ommiſſioners to judge of Scandals; there was a Clauſe in the rdinance, *forbidding the Nomination of ſuch as refuſed the Nanal Covenant*, which was ſtrongly oppoſed by the Independents, ho argued, *That the National Covenant was but a League ſworn tually by the two Nations; that the* Scots *by Invading* England *d firſt broke it, and thereby ſet the* Engliſh at liberty from it, *that*

123. The Nation Covenant.

the Covenant was not Jure divino, *no more then Presbytery was.* To which was answered, *That the large Treaty containing the League between the two Nations,* ſo did not the Covenant, which was *a Vow made unto God with our hands lifed up to heaven, for the maintenance and obſervation of the ends and principles expreſſed in the Covenant, from which no power on Earth can abſolve.* That though the Covenant was not *Jure divino,* yet the keeping of it after we have taken it is *Jure divino,* it being the revealed will of God, *that we ſhould not offer to him the ſacrifice of fools*; a Covenant to day, and break it to morrow.

124. A new Militia erected in every County, in the hands of Sectaries

Monday 7. *Auguſt.* A particular Ordinance *to put the County of* Wilts *into a poſture of defence* was read, many that were named to be Deputy Lieutenants, or Commiſſioners, were mean petty fellows, as one *Read* a Serving-man, and others, ſuch as refuſe to Act upon the Ordinances *for ſetling Church Government,* and declare *that our Miniſtery is Antichriſtian,* and are new dipped Brethren that have been re-baptized. *Theſe to have power to raiſe what men, and put arms into what hands they liſt; to fine* 100l. *and twenty days Impriſonment for every default, and to levy* 400l. *a week upon that poor County over and above the Taxes to* Fairfax's *Army, and* Ireland, *and Free quarter.* The general Ordinance to truſt the Counties with their own defence, is obſtructed, to give way to theſe particular Ordinances, That all the Arms and Garriſons of the Kingdom may be put into the hands of Antimonarchical Sectaries, and the *Militia* of Godly Cut-throats eſtabliſhed in every County towards the putting down of Monarchy, and the erecting of the many-headed Tyranny of the Saints of *Derby-houſe* and the Army. This Ordinance was committed.

125. Letters uncharacterized, a new invented net to catch Presbyterians in.

Tueſday, 8. *Auguſt. Thomas Scot* made report to the Houſe of Commons of the private Letters brought out of *Scotland* by Maſter *Haly-barton,* (whereof I have formerly given you notice) this Gentleman being a publique Meſſenger from the Kingdom of *Scotland,* (and not from Duke *Hamilton* or his Army, whom only the Houſe of Commons have declared Enemies, without the concurrence of the Lords) hath leave given him by the Lords to ſtay a Month in *England*; yet the Commons have ſince Voted he ſhall be gone in twenty four hours, or elſe he ſhall be ſent home in Cuſtody. Theſe Letters are moſt of them written in Characters, yet this wel-gifted Brother *Scot,* hath found out a New

Light

Light to Decypher them by; and can tell by Inſpiration, or by Privilege of Parliament, what Cypher or Character muſt ſignifie ſuch a Letter of the Alphabet, or ſuch a mans name. This engine added to the Schiſmatical High Commiſſion or Committee of Clandeſtine Examinations, is better then any ſpring or trap to catch any active Presbyterian that lies croſſe to the deſign of the Godly.

They may ſuppoſe any mans name to lie hid under ſuch or ſuch Characters and Cyphers, and ſo accuſe him by vertue of this myſterious art, of aiding or complying with the Scots or the Prince, and pin whatſoever the Faction pleaſeth to call Treaſon upon his ſleeve; theſe are the Arts of the Godly to make Innocency it ſelf ſeem nocent, and remove out of the way ſuch as hinder the erecting the Kingdom of the Saints.

Theſe Letters ſo decyphered, were afterwards at a Conference reported to the Lords.

Wedneſday 9. *Auguſt.* The anſwer to the City Petition (the day before delivered to the Houſe of Commons) was reported to the Houſe. It was an anſwer to ſome of the Prayers of that Petition only, but gave no anſwer to their deſires, for the Disbanding of all Armies to eaſe the people of their burdens. The reſtoring of the peoples Laws and Liberties. The enjoyning all Members to attend the Houſe; nor to the effectuall obſervation of the ſelf-denying Ordinance: this laſt is a *noli me tangere*; if all Members ſhould be enjoyned to be ſelf-denying men, there would be few Godly men left in the Houſe; How ſhould the Saints poſſeſſe the good things of this world? yet (after ſome debate, and divers expreſſions uſed by *Weaver* and *Harvy*, That it appeared by the Petition that the City would deſert the Parliament) they gave an anſwer to their deſires concerning the union to be kept with *Scotland*, and a Ceſſation of all acts of Hoſtility during the Treaty of Peace; That they had Voted the Army under Duke *Hamilton* Enemies, and Declared, They would Act accordingly againſt them, to which they would adhere. 116. The City Petition anſwered.

Maſter *Hungerford* argued, That becauſe the Lords had denied to concur in the ſaid Vote, he conceived the Houſe could make no ſuch Declaration, nor act therein without them. This put the Zealous into a flame, that any Member ſhould argue againſt the Privileges of their Houſe, ſo far as to deny them to be Almigh- 117. The Commons debate to take away the Lords Negative voice and act without them.

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ty ſingly, and *per ſe*: *Reynolds* the Lawyer poſitively affirming, *that the Houſes of Commons (being the Repreſentative of all the People) had power to Act without the Lords for ſafety of the people, in caſe the Lords deſerted their truſt*: you ſee in this doctrine (as it hath been already, aud is likely to be practiſed hereafter) a ground laid to ſubvert the foundation of all Parliaments for ever, and to bring all degrees of men to a parity or levell. For the Parliament (by all the known Laws of the Land) conſiſting of 3. Eſtates,

1. *King*, 2. *Lords*, And 3. *Commons*,

Two of the Eſtates (*viz.* the Lords and Commons) have already laid by the King, and His Negative Voice; and now the Commons debate of laying by the Lords, and their Negative Voice, becauſe (in their judgement) they deſert their Truſt. And ſo the Commons alone ſhall act as a Parliament without KING or Lords, until falling into contempt and hatred of the people, (which will ſoon happen) the Grandees of *Derby-houſe* and the army ſhall take advantage to lay the Houſe of Commons by, and uſurp the *Kings ſupreme Governing Power*, the *Parliaments Legiſlative Power*, yea and *the Judges Judicative Power to themſelves*, and eſtabliſh the *many-headed Kingdom, Tyranny, or Oligarchy of the Saints* (ſo much contended for) in themſelves. *O populum in ſervitutem paratum!* as *Tyberius* ſaid of the *Romans*. This is the tail of the Viper, here lies his venom.

128. Dead men Sequeſtred, and the Sanctuary of the Crave violated.

Saturday, 12. *Auguſt*, A Meſſage was ſent to the Commons from the Houſe of Lords in the behalf of Commiſſary Generall *Copley*, who had bought, and had a grant of the Wardſhip of the Heir of Sir *William Hansby*, for which he paid Fine and Rent, and was outed of it by a Sequeſtration laid upon *Hansby's* Eſtate after his death, he having been never queſtioned for Delinquency during his life-time; and this was maliciouſly done about the time when Maſter *Copley* was Impriſoned by the power of the Independent Faction, (whereof I have already ſaid ſomething) Maſter *Copley* deſired the Sequeſtration might be taken off, and he permitted to enjoy his Contract made with the Court of Wards; alleging, that to Sequeſter or condemn a man after his death, when he could not anſwer for himſelf, was againſt the Laws of the Land, even in the higheſt crimes of Felony and Treaſon and produced a Preſident, *That the Committee of Lords and Common*

Commons for Sequeſtrations had taken off a Sequeſtration from the Lands of Andrew Wall, for no other reaſon but becauſe Andrew Wall *was Sequeſtred after his death.* The caſe was diverſly argued; it was alleged, *that in caſes of the higheſt Treaſon no man was condemned after death, becauſe he was not then in being to anſwer for himſelf, there could be no proceeding in Law againſt a* non ens. In Felony *if a man will ſtand mute, he forfeits not his lands, becauſe there wants an Anſwer,* and yet it was his own fault not to anſwer. The Parliament is bound by all their Declarations made both to KING and People, and by the Nationall Covenant which contains all the firſt and juſt Principles of the Parliament, *to defend the Laws and Liberties of the Land,* and not to ſubvert them. Take heed of giving ſo dangerous a Preſident for Kings to act by hereafter againſt the People, and againſt this Parliment and their friends; ſince no man yet knows which way the tide may turn. But the Independent Faction (whoſe intereſt it is to keep themſelves rich, and all men elſe poor) argued the caſe meerly upon point of profit and conveniency, and neglected the right and *jus* of the buſineſſe. They alleged, *That men of deſperate reſolutions would not reward the loſſe of their own lives, ſo as they might preſerve their Wives and Children: That the State* (as they pleaſed to ſtile it) *would loſe much by ſuch an example, they could not therefore approve of the lenity of the Lords and Commons uſed in* Walls *caſe; many had been Sequeſtred after death,* and ſo arguing *à facto ad jus*; alleged, *that in caſe of Monopolies, ſatisfaction had been awarded out of dead mens Eſtates.* But they forgot that out of Sequeſtrations no ſatisfaction is given to the parties wronged; the Committees and Sequeſtrators imbezelling the profits of them to increaſe their own gains, not beſtowing them to repair injured mens loſſes, and ſo the equity upon which this Preſident is founded, fáileth in caſe of Sequeſtrations. Thus you ſee theſe greedy Canibal Saints (like the hungry dogs that ate *Jeſabel*) will devour carrion, or any thing that will make them fat and full: yet they declared, *They were willing this Sequeſtration ſhould be beſtowed upon Maſter* Copley *as a Gratuity, not as a Right for fear of the example.* Obſerve, that if Maſter *Copley* had waived his Title by Compoſition, and accepted this Wardſhip as a Gift, they would preſently have publiſhed it in their *News books*, and *Gilbert Mabbot* ſhould have proclaimed to all the world, that

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Presbyterians and Independents might be thought alike guilty o impoveriſhing the Kingdom : for the Faction labours nothing more than to have Companions in their ſins and ſhames : At laſt it was paſſed, That Mr. *Copley* ſhould have the Wardſhip reſtored to him, but great care taken it ſhould not be drawn into exampl hereafter, that a man may not be Sequeſtred for Delinquency after his death, *Cavete vobis mortui atque ſepulti*, dead mens grave are not ſecure from theſe *Lycanthropi*, theſe *Lou-garons*.

129. The meſſengers to the King, Report their meſſage in the Houſe of Commons.

Monday, 14 *Auguſt*, Maſter *Bulkeley* in the name of himſel and his fellow-Comiſſioner Sir *I. Hippeſly* (ſent to the Kin to acquaint him with the Vote of the two Houſes, *That they de ſired a Treaty with the King upon the propoſitions of* Hampton Court *in what place of the Iſland of* Wight *He ſhould think fit, an that the Treaty ſhall be with honour, Freedom, and Safety to Hi Majeſty*) Reported to the Houſe of Commons all the circum ſtances and emergencies of their imployment (the Kings Let ter of Anſwer being carried to the Lords by the Earl of *Midd'e ſex*, and therefore not delivered to the Commons for the preſent which with much candor were related as followeth, *That th KING had them welcom, ſaying, they came about a welcom buſineſſe* (*PEACE*) *which no man deſired with more earneſt neſſe than Himſelf ; and if there did not enſue a Peace, the faul ſhould not lie at his dore ; and that he feared no obſtructions from any but thoſe who gained by the War.* He farther ſaid, *that Hi Majeſty deſired* (*immediately after the delivery of the Votes*) *t ſpeak a word with them in private, which they modeſtly excuſe for want of Commiſſion.* That about two dayes after his Majeſt ſeeing the ſaid Commiſſioners of the Parliament ſtanding in th Preſence chamber, firſt beckoned the Earl of *Middleſex* to him and had ſome ſhort diſcourſe ſingly with him, and then with Si *John Hippeſly* and Maſter *Bulkley* one after another. Theſe three Gentlemen afterwards comparing their notes, found the Kings diſcourſe to every of them to be all to one effect, *viz.*, *Ex preſſing his deſires of a good peace* ; and *importuning them to do al good Offices conducing thereto. He farther related, that when they took leave of his Majeſty, he delivered his Anſwer in writing t them unſealed* ; telling them, *He doubted not their fidelity, though ill uſe had been made of his laſt Anſwer which he ſent open, it ha ving been debated in private, & a prejudice put upon it, before it wa*

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preſented to the Houſes. This free and unpartial Report ſhewing how earneſt his Majeſty is for Peace, did the King ſo much Right, that the Antimonarchical Faction looked upon it as done to their wrong, and *Herbert Morley* preſently ſpit out his Venom to this purpoſe, Mr. Speaker, *Theſe Gentlemen have delivered all to you but what they ſhould deliver, that is, the Kings Anſwer, which they have ſuffered firſt to be carried to the Lords*; *they might have delivered you at leaſt a Copy thereof* (it ſhould ſeem *Morley* had forgot that the Houſe proceeds not upon Copies) *My motion is, that ſince theſe Gentlemen have exceeded their Commiſſion by conferring privately with the King, the Houſe may do well either to queſtion them herefore, or give them an Act of Oblivion for their good ſervice.* This was cried upon a long time by the whole kennell of the Faction, and at laſt put off till the next day, when the Lords ſending down the Kings Letter, the Houſe ſhould have the whole buſineſſe before them.

The next day being Tueſday, 15. *Auguſt*, the Kings aforeſaid Letter of Anſwer with divers Votes thereupon were ſent down from the Lords to the Houſe of Commons, when preſently the Beagles of the Faction ſpent their mouths freely againſt the ſaid Commiſſioners again for lending the KING the civility of an ear in private, as aboveſaid. After a long debate, at laſt this Objection ſtopped the Mouths of Malice it ſelf, *That if theſe Gentlemen had reported an averſneß in the King to Peace (and aggravated His Words as other Meſſengers had formerly done, whereof the King ſeem'd to complain) it would have proved a welcome diſcovery, and have been rewarded with Thanks inſtead of an Act of Oblivion.* So with much adoe, *Thanks were given to the ſaid Gentlemen, with approbation of their proceedings.* 130. The aforeſaid Meſſengers again.

The ſame day the *Militia* of *London* were called into the Houſe of Commons, where Alderman *Gybs* in the name of the Common-council and *Militia* (not by Petition, but in a ſet Speech) delivered the fears and jealouſies of the City (even of the greateſt, wiſeſt, and beſt affected) occaſioned by *Skippon*'s underhand liſting of Schiſmaticks, Antimonarchiſts; his ſetting up thereby a power againſt a power, to the endangering of a civil War within the Bowels of the City; weakning of the Trained Bands, deſhing Servants from their Maſters, Children from their Parents. That under colour of *Skippon*'s private Liſtings, other pri- 131. The *Militia* of *London*: Concerning private Liſting by *Skippon*; and the *Militia* of the City.

vate Liſtings were carried on by Malignants, the Magiſtrates of the City not being able to queſtion either, and diſtinguiſh one from the other. That fear was a violent paſſion, and was now grown ſo univerſal, that the Common-council knew not how to give ſatisfaction therein, the Citizens uſually clamouring, *that if the Houſes did not give them leave to look to their ſafety, they muſt have recourſe to the Law of Nature, and Act in their Militia without the Houſes in order to Self-defence, allowable by all Laws, and practiſed by this very Parliament againſt the King, and by* Fairfax's *Army againſt this Parliament.*

The Prayers of his Speech were three.

1. That *Skippon's* Liſted men might be under the Militia of the City.

2. That the expired Ordinance for Liſting Forces might be revived.

3. That the Militias of *Weſtminſter*, *Southwark*, and the *Hamlets* might be united with the City as formerly.

To this clauſe of having recourſe *to the Law of Nature for Self-defence*, great exceptions were taken in the debate of the Houſe by the two *Aſhes*, *Ven*, *Harvy*, *Scot*, *Weaver*, and other of the Godly pack. *That the Parliament having fought with the King for the Militia, and having got it by the Sword, any other Intereſt, upon any title whatſoever ſhould dare to lay claim to any part of it.* You ſee theſe Lyons of the Tribe will allow no Beaſts of different kind to ſhare with them in their prey, although they did ſweat and bleed with them in the hunting and catching it. The Grandees may as well ſay *they have conquered our Laws and Liberties*; for (as I have in my *General Concluſion* cited) they ſay, *That they fought with the King for his Negative Voice, and Legiſlative Power, and that God hath by the Verdict of the Sword given judgement for them*; and yet when the King claimed them by a better and more legal Title then the Sword, they could object the equity of the Laws againſt the killing letter of them, which they ſay, directs ſtill to the equitable ſenſe of all Laws, as diſpencing with the very letter thereof, as being ſupreme to it when ſafety and preſervation is concerned, and alleging, *That all Authority is ſeated fundamentally in the Office, and but miniſterially in the perſons; and that it is no reſiſting of Magiſtracy to ſide with the juſt Principles of Nature.* See the Declaration and Papers of the Army,

...., p. 39, 40. and the Exact Collect. p. 150. *& alibi paſſim:* In concluſion, after a tedious debate, the deſires of the Citizens were referred to a Committee of the Houſe to be wyer-drawn into an Ordinance, *That all Forces raiſed, and to be raiſed in the City of* London, *and the Liberties thereof, ſhould be ſubject to the Militia of* London (whereof *Skippon* is a Member) *and under the Command of Major General* Skippon. When this Ordinance will be perfected, what the ſenſe and meaning of this Riddle is, and what dangers may befall the City if *Colcheſter* be taken, or the *Scots* beaten, before they have leave to put themſelves into a poſture of defence, God knows. It was farther referred to bring in an Ordinance for uniting the aforeſaid *Militias*. You ſee how jealous they are of late of the *Militia*, ſince the Grandees entertained new Principles, and new deſigns. In the Propoſitions preſented to the King at *Newcaſtle*, the Propoſition for the *Militia* hath this proviſo, Provided *that the City of* London *ſhall have and enjoy all their Rights, Liberties, Franchiſes and Cuſtoms, and Uſages in raiſing and employing the Forces of that City for the defence thereof, in as full and ample manner to all intents and purpoſes, as they have, or might have uſed or enjoyed the ſame at any time before the making of this Act or Propoſition: to the end that City may be fully aſſured, it is not in the intention of the Parl. to take from them any Privileges or Immunities in raiſing and diſpoſing of their Forces, which they have, or might have uſed or enjoyed heretofore.* This is a clear confeſſion, that by the ancient Cuſtoms and Uſages of the City, they have Right to their own *Militia*, or elſe this *Proviſo* were vain, howſoever the learned Counſel of the City fool them. The like *proviſo* word for word is contained in the Propoſition for the *Militia* of *Hampton* Court, ſaving that the laſt clauſe, *That the City may be aſſured the Parliament hath no intention to take from them any Privileges, &c.* is omitted, I think to pleaſe the army and their engaged party. See the Letters, Papers, Tranſactions of the Engliſh Commiſſioners in *Scotland* with the Scots, &c. p. 58.

Wedneſday 16. *Auguſt.* The Kings ſaid Letter was read, and the Lords Votes thereupon: firſt, (after ſome little oppoſition) the Commons concurred with the Lords in recalling the 4. Votes *for making and receiving no Addreſſes to or from the King*: thereby, 1. Abſolving him from a kind of Parliamentary Excommunication. 132. The Lords Votes upon the Kings Letter, debated in the Houſe of Commons.

2. Reſtoring to all Free-born Subjects the Liberty they are born
o, of preſenting their humble deſires to his Majeſty, and perfor-
ming the duties of their Allegiance and Oath.

And 3. Reducing themſelves unto that ſcope, and end, for which
nly the Writ ſummons them as a Parliament, *viz. To Treat*
ith the King. The ſecond Vote, was, *To recall the Inſtru-*
ions of Parliament given to Hammond, *how to carry himſelf in*
is Charge towards the King, His ſervants, and all Reſorters to
im, &c. This was laid by, to be debated in the laſt place, after all
ie reſt of the Lords Votes. The third Vote read, was, *That ſuch*
en of all profeſſions as the King ſhould ſend for, as of neceſſary uſe
Him in the Treaty, may be admitted to wait on him, and that He
ight be in the ſame ſtate of freedom He was in when He was
ſt at Hampton-Court. This Vote (inſtead of concurring with the
ords) was divided. The firſt part (after many objections to it) was
oulded into this following queſtion, and carried in the affirma-
ve, *That his Majeſty might ſend for them of all profeſſions, and*
being deſired firſt to ſend a Liſt of their Names to the Parl.
d nominating no Perſon excepted out of Pardon, none that have
en in Actual War againſt the Parliament, nor any man that is un-
r reſtraint of the Parliament. The latter part of this Vote, *for*
joying ſuch Freedom as he was in at Hampton-Court, was di-
rſly argued for the Ambiguouſneſſe of it; the queſtion being,
hether ſuch freedom as the Parliament allowed him, or ſuch
eedom as the Army (for their own ends) *gave him*, de facto,
ere intended? at laſt the queſtion was agreed to be *in Terminis.*
he fourth Vote was, *that the Scots ſhould be invited to the trea-*
: this likewiſe was doubtfully argued, 1. *Whether they ſhould*
invited by the Parliament? conſidering they had broken the large
eaty, Nationall Covenant, and union, by ſurprizing and Garriſo-
ng Barwick *and* Carliſle, *and by entring* England *with an Army:*
his was carried in the Negative. The 2. Debate, was, *Whether it*
ould be left to the King to invite the Scots to ſend ſome perſons au-
orized to treat upon ſuch Propoſitions as they ſhould make for the
nterest of Scotland *only?* This likewiſe was oppoſed for the rea-
ons aforeſaid, and becauſe the Power and Authority of *Scotland*
as now in the hands of Duke *Hamilton* and a few diſ-affect-
d perſons, who were not likely to ſend any of the honeſt God-
y party to Treat, whereby the Treaty would be carried on

so

to the diſadvantage and ruine of the Godly and of the Church, our only friends there: And Mr. *Aſhurſt* related, *That the major part of the paſt Parliament of* Scotland *over-powred the minor part by an Army, and ſo got the Engagement and other Acts, and the Committee of Eſtates paſſed, againſt which the Aſſembly of the Kirk (conſiſting of* 400 *perſons) declared with one voice.* I know not what he meant, by ſaying *the major part in* Scotland *over-powred the minor*: when I conſider that *major pars obtinet rationem totius*, the major part is virtually the Parliament, to which the minor part muſt ſubmit; although here in *England* the leſſer part of the Parliament engaging and conſpiring with an army (whom themſelves in a full and free Parliament had formerly declared *Enemies to the State*) overpowred the greater part, contrary to reaſon and practice. This queſtion ſeemed to agree with the ſenſe of the Independents reaſonably well, becauſe it leaves it onely to the pleaſure of the King to Treat diſ-junctively with the *Scots* upon the ſole Intereſt of *Scotland*, as men no ways concerned in the ſettlement of Peace in *England*; whereby it is tacitely inferred, that the Treaties, Covenant, and Union between the two Kingdoms is diſſolved, ſo the queſtion aforeſaid was put with this addition, *that if the King ſhall be pleaſed to invite the* Scots *to ſend ſome Perſons Authorized, &c. the Parliament will give them ſafe conduct.* The fifth Vote of the Lords was, *That* New-port *in the* Iſland of Wight *ſhould be the place of Treaty*: to which the Commons concurred. With theſe debates ended this Week the 19 day of *Auguſt*.

About this time came forth a Book entituled, [*The neceſſity of the abſolute power of all Kings; and in particular, of the King of* England] concerning which, I am to admoniſh the Reader, that it is conceived to be a Cockatrice hatched by the Antimonarchical Faction, to envenome the people againſt the KING and PRINCE. 133. A peſtilent Book, called, [*The neceſſity of the abſolute power of Kings, &c.*]

The next Week begins with Monday 21. *Auguſt*, of whoſe proceedings I can give you only an imperfect ſcambling relation; and ſo ſhall ſurceaſe all farther endeavours in this kind, becauſe I have already delivered enough for your Inſtruction, if God have not appointed you to be led blindfold into the pit digged for your deſtruction; but principally becauſe my good *Genius*, that furniſhed me with Intelligence, hath now retired himſelf

himſelf from acting without hope, to praying with faith, for his Country; being tired out with hearing and ſeeing ſo much ſinne and folly as now raigns at *Weſtminſter*: and I love not much to take news upon truſt from the vulgar Peripateticks of the Hall.

134. Mr. *Martins* levelling practiſes and principles. The chief things of note were, More Complaints of *Henry Martin*, who now declares himſelf *for a Community of Wealth*, as well as of Women, *and proteſts againſt King, Lords, Gentry, Lawyers, and Clergy*, nay, *againſt the Parliament it ſelf*, in whoſe boſome this Viper hath been foſtered, and *againſt all Magiſtrates*; like a ſecond *Wat Tyler*, all Pen and Inkhorn-men muſt down. His Levelling Doctrine is contained in a Pamphlet, called, [*Englands Troubler Troubled*] wherein, *All Rich men whatſoever are declared Enemies to the Mean men of* England, and (in effect) War denounced againſt them.

135. *Skippon's* Liftings. Next, the Ordinance *for transferring over to the Militia of* London Skippon's *power of liſting men in* London, was paſſed in the Houſe of Commons, with this Coloquintida in it, *That* Skippon *ſhould name and appoint Commanders and Officers for the Forces liſted, to be approved of by the Militia of* London.

136. *Cromwels* laureat letters 10. Aug. 1648. A Letter from *Oliver Cromwel* was read in the Houſe of Commons, *relating his eaſie victory over Duke* Hamilton *and Major Gen.* Baily, (which puts me in mind of *Ovid's* Victory over *Corinna*, of whom he ſaith,

Victa eſt, non agrè, proditione ſua.)

and containing an admonition *not to hate Gods people, who are as the apple of his eye, and for whom even Kings ſhall be reproved: and exhorting the Speaker* (to whom it was written) *to fulfill the end of his Magiſtracy, that all that will live peaceably and quietly* (*viz.* in Vaſſalage to *Oliver* and his Faction, & neglect Religion, Laws, and Liberties) *may have countenance from him.* (God bleſſe all honeſt men from the light of *Oliver's* countenance, leſt an *ignis fatuus* miſlead them from the duties of their Oaths of Allegiance, Supremacy, Poteſtation, and Covenant) *and they that are implacable, may ſpeedily be deſtroyed out of the Land.*

137. Martial Law in *London*. To prepare the way to whoſe deſtruction, it was Ordered, *That an Ordinance be penned, and brought into the Houſe of Commons, to try all ſuch by Martial Law in the City of* London *as ſhall be found to plot, deſign, or contrive any thing, to endanger the Parliament or City.* And yet *London* is no Garriſon now as it was

was when *Tomkins* and *Challoner* were tried; nor is there any Enemy conſiderable in the Field, whereby the known Laws of the Land may not paſſe currently through the Kingdom: but our known Laws are not written in blood; nor are they ſo flexible as to make all Traytors, the Faction pleaſeth to call ſuch.

Yet as cruel as theſe Caco fuegos of the Faction are to ſome, they have mercy enough for *Rolf*, whoſe Bail was again exceedingly preſſed: and that his two Proſecutors *Osburn* and *Dowcet* ſhould be under reſtraint in his ſtead; whom they have forejudged (out of the King's Letter to the Houſes) not to be able to prove their information, whereas it may be diſcretion in the King not to encreaſe his danger by acknowledging it. 138. *Rolf's* Bail again preſſe

Saturday, 26. *Auguſt.* The King's Letter to the Committee of States in *Scotland*, *&c.* in Anſwer to their Letter ſent to Him by *Haly-burton* (which Letter was taken from *Haly-burton*, although a publique Miniſter of State, and allowed by Parliament to carry their Letter to the King) was read in the Houſe of Commons. 139. The KINGS Letter to the States of *Scotland* taken from *Haliburton*.

I hear in general, that it was excellently well penned, and a very juſt, honeſt, and peaceable Letter. Yet it was Voted, neither to be ſent to the Lords, nor to be reſtored to *Haly-burton*; but damned to cloſe impriſonment in a Box, under Seal; leſt the people ſhould know how truly zealous his Majeſty is to ſettle Peace in the Land; a myſtery their underſtandings muſt not be truſted withall.

Prolegomena.

Promiſes, Proteſtations, and Covenants, made by this Parliament in behalf of the King and People.

After a repetition of many good Acts and Conceſſions obtained by this Parliament of the King for the eaſe of the People, they ſay farther, *that other things of main importance for the good of his Kingdom are in Propoſition, &c. which yet before the end of his Seſſion they hope may receive ſome progreſſe and perfection; As the eſtabliſhing and ordering the Kings Revenue, &c. The Regulating* 15. *December* 1642. *Exact. Collect. p.* 15.

ting of Courts of Justice, and the abridging both the delays and Charges of Law Suits, &c. Preventing the exportation of Gold and Silver; and the inequality of Exchanges between this and other Kingdoms; improving the Herring fishing upon our Coasts, &c. which things in all their Propositions and Addresses to the King have not been once mentioned, nor any thing else but what makes for the profit, preferment, and power of a few ambitious Grandees of the Parliament, and Army; in order to which, they demand the *Militia* of a standing Army, with an arbitrary power to raise what Forces by Land and Sea, consisting of what persons, and to raise what sums of Money out of every mans Estate they please: which power the King hath not to give, neither did He nor His Ancestors ever exercise: the only *Militia* they used having been either the *Posse Commitatus under the Sheriffs*, which is very legal and ancient, or *the Militia of Trained Bands under Lord Lieutenants, and their Deputy Lieutenants*, which i sa new invention. Nor did the policy of our Law ever trust the *power of the Sword*, and *the Purse in one hand*, for fear of enslaving the People.

Ex. Col, p. 19. They farther declare, *That it is far from their purpose or desire to let loose the Golden reins of Discipline and Government in the Church, to have private persons or particular Congregations to take up what form of Divine Service they please, because they hold it requisite that there should be throughout the whole Realm a Conformity to that Order which the Laws enjoyn.*

Ex. Col. p. 203. They farther say there, *That the gracious favour His Majesty expressed in the Bill for continuance of this Parliament, and the advantage and security which they thereby have from being Dissolved, shall not encourage them to do any thing, which otherwise had not been fit to have been done.*

Ex. Col. p. 201. They conclude the said Declaration thus, *That they doubt not but it shall in the end appear to all the world, that their endeavours have been most hearty and sincere for the maintenance of the true Protestant Religion, The Kings just Prerogatives, The Laws and Liberties of the Land, and the Privileges of Parliament, in which indeavours (by the Grace of God) they would still persist, though they should perish in the work.*

Ex Col. p. 376. In their Declaration, 4. *June* 1642. The Lords and Commons do declare, *That the Design of their Propositions for Plate and Money is To maintain the Protestant Religion, the King's Authority and*

Person,

Perſon, in his Royal Dignity; The free Courſe of Juſtice, The Laws of the Land, (what then becomes of Martial Law, and Committee Law?) *The Peace of the Kingdome, and Privileges of Parliament.*

In their Propoſitions for bringing in Money and Plate, 10. *June* 1642. the Lords and Commons declare, *That no mans affections ſhall be meaſured according to the proportion of his offer, ſo that he expreſs his good will to the Service in any proportion whatſoever,* (that is, ſo that he ingage with them) yet notwithſtanding the 29. *Novemb.* following, the ſame Lords and Commons appointed a Committee of 6. perſons, who ſhould have *power to Aſſeſs all ſuch perſons as were of ability, and had not Contributed, and ſuch as had Contributed, yet not according to their ability,* (which is now looked upon as a Malignancy) *to pay ſuch ſums of Money, according to their Eſtates, as the Aſſeſſors, or any of them ſhould think fit, ſo as the ſame exceeded not the* 20. *part of their Eſtates.* The power is ſtill exerciſed by all Country-Committees, to a 5. and 20. part, charged upon all men, even ſuch as have been deſtroyed and undon, or laid forth themſelves beyond their abilities, for their ſervice to this Parliament. Ex. Col. p. 340. Ex. Col. p. 765.

In the *National Covenant* taken by this Parliament, and by them impoſed upon the Kingdom to be taken with *hands lifted up to the moſt High God,* the Lords and Commons vow, *To maintain the King's Perſon, Crown and Dignity, in Defence of Religion, Law, and Liberties, &c. To ſuppreſs all Errors, Hereſies, Blaſphemies, and Schiſms; and to defend one another mutually in the ſame work with their lives and fortunes;* yet is the ſame Covenant now caſt aſide, and called, *An Almanack out of date.* Many men have been puniſhed for attempting to keep it. And (I hear) the Houſe of Commons are now upon paſſing an Ordinance for *Martial Law to be executed in* London, *upon all ſuch perſons, as having taken the ſaid Covenant, ſhall attempt or deſign any thing againſt the Parliament or City of* London: what is this but to impoſe a ſpecial penalty upon ſuch as have taken the Covenant, & leave thoſe that have not taken it free? And who doubts but that the ſaid Council of War ſhall conſiſt of Anti-monarchical Schiſmaticks and Anti-covenanters, for the moſt part, who ſhall ſtretch every word to the utmoſt extent. And this is now in brewing, contrary to the *Petition of Right,* 3. *Caroli,* & *Magna Charta,* no conſiderable enemy being in the Field, and the Courts of Juſtice in *Weſtminſter-hall* ſitting:

nay, I hear (like *Janus Bifrons*) this Law (if I do not miſ-call it) looks backwards to Acts paſt, as well as forward, contrary to the nature of all Laws, which have an admoniſhing power to warn men of the evil to come, before they can have a puniſhing power for evils paſſed: Therefore the Apoſtle ſaith, *Sin is a breach of a Commandement, (or Law) I had not known Sin but by the Law.* The Law therefore muſt be previous to the Sin. How the ſaid Promiſes and Covenant, and many more have been kept, let the world judge.

What the Promiſes, Undertakings, and Propoſals of the Army have been in order to ſetling the peace of the people of this Kingdom, and of the King's juſt Rights and Prerogatives, and their own Disbanding, are to be found in their many printed papers; which I wil here omit, becauſe they had no lawfull calling or warrant for ſuch undertakings, and how they have been proſecuted and performed, is obvious to every capacity.

Out of theſe Premiſſes, I ſhall draw theſe Concluſions following.

1. THe *engaged Party* have laid the *Axe* to the very root of *Monarchy* and *Parliaments*; they have caſt all the Myſteries and ſecrets of Government, both by Kings and Parliaments, before the vulgar, (like Pearl before Swine) and have taught both the Souldiery and People to look ſo far into them, as to ravel back all Governments, to the firſt principles of nature: He that ſhakes Fundamentals, means to take down the Fabrick. Nor have they been careful to ſave the materials for Poſterity. What theſe negative Statiſts will ſet up in the room of theſe ruined buildings, doth not appear, only I will ſay, *They have made the People thereby ſo curious and ſo arrogant, that they will never find humility enough to ſubmit to a civil rule*; their aim therefore from the beginning was to rule them by the power of the ſword, a military Ariſtocracy or Oligarchy, as now they do. Amongſt the ancient *Romans, Tentare arcana Imperii*, to prophane the Myſteries of State, was Treaſon; becauſe there can be no form of Government without its proper Myſteries, which are no longer Myſteries than while they are concealed. Ignorance, and Admiration ariſing from

from Ignorance, are the Parents of civil devotion and obedience though not of Theological.

2. Nor have theſe *Grandees* and *their party in the Synod*, dealt more kindly with the *Church*, then with the *Common-wealth*; whoſe reverend myſteries, their Pulpits and holy Sacraments, and all the functions of the Miniſtery are by their connivence profaned by the *clouted ſhoe*; *the baſeſt and loweſt of the People making themſelves Prieſts*, and with *a blind diſtempered zeal Preaching ſuch Doctrine as their private ſpirits* (ſpirits of illuſion) *dictate to them*; But let them know, *that their burning zeal without knowledge, is like Hell fire without light.* Yet the greateſt wonder of all is, *That they ſuffer the Lords ſupper* (that Sacrament of Corroboration) *to be ſo much neglected in almoſt all the Churches in the Kingdom: Is it becauſe men uſually before they receive our Saviour* (that bleſſed gueſt) *ſweep the houſe clean, caſting out of their hearts* (thoſe living Temples of the holy Ghoſt) *Pride, Ambition, Covetouſneſſe, Envy, Hatred, Malice, and all other unclean Spirits to make fit room to entertain* Jeſus, *that Prince of Peace*, whereby the people having their minds prepared for *Peace, Charity* and *Reconciliation*, may happily ſpoil the *trade* of our *Grandees*, who can no longer maintain their uſurped dominion over them, then they can keep them diſ-united with quarrels and feuds, and uphold thoſe badges of factions, and rearms of diſtinctions and ſeparations, *Cavaliers, Roundheads, Malignants, Well-affected, Presbyterians*, and *Independents?* or is it becauſe they fear, if the Church were ſetled in peace and unity, it would be a mean to unite the Common-wealth, as a quiet cheerful mind often cureth a diſtempered body? I will not take upon me to judge another mans Servant; but many ſuſpect this is done out of deſign, not out of peeviſhneſſe.

2. They have ſubverted the Church.

The Sacrament of the Lords Supper diſcontinued, and why.

3. That theſe *Grandees* govern *by power*, not *by love*, and the *Laws of the Land*, (which was my laſt aſſertion) appears by

1. The many Garriſons they keep up, and numerous Army they keep in pay to over-power the whole Kingdom, more then at firſt the Parliament Voted, all in the hands of Sectaries.

2. Their compelling the Parliament to put the whole *Militia* of *England* and *Ireland* by Land and by Sea, in the power of Sir *Thomas Fairfax* and their party, together with all Garriſons.

The Grandees rule by the arbitrary power of the Sword, not by the Laws.

3. Nor do they think the Laws of the Land extenſive enough for their purpoſes; therefore they piece them out with Arbitrary Ordinances, impeachments before the Lords, and Marſhall Law, which is now grown to that height, that the Council of War, General, and Judge advocate of the Army do uſually ſend forth Injunctions to ſtay Sutes, and releaſe judgments at Law, or elſe to attend the Council of War whereſoever they ſit, to ſhew cauſe to the contrary; and when Lieutenant Colonel *Lilburn* was ordered to be brought to the Kings-Bench-Bar, upon his *habeas Corpus*, Eaſter Term, 1648. *Cromwel* ſent word to the Lieutenant of the *Tower* not to bring him; and *Cromwel* was obeyed, not the Judges. Thus the *Laws of the Land* are daily baffled, that men may be accuſtomed to arbitrary Government, and thoſe actions which no *Law of the Land* calls a *Crime*, may be interpreted *Treaſon* when our *Grandees* pleaſe to have it ſo.

4. Their *allowing money* to ſome *Committees* to *reward Informers*, *Spies* and *Intelligencers*, to *betray* even their neareſt friends and relations.

5. Their *holding Honeſt*, *Generous*, and *Grave men in ſuſpicion*, and making the *Houſes of Parliament and Army* ſnares to them, expelling them with *falſe* and *extrajudicial Accuſations*.

6. Their *owning diſhoneſt*, *baſe-minded men*, that have *cheated the State*, as inſtruments fit to be *confided in*, and aſſociate with them in *time of danger*.

7. Their *impoveriſhing the people with confuſed Taxes*, *decay of Trade*, *and obſtructing of the Mint*, and *thereby breaking their ſpirits*.

8. Their *changing and dividing the Militia* of *London* purpoſely to *weaken it*.

9. Their *not reſtoring to the Countries their Militia*, and truſting them to *defend their own houſes* as formerly.

10. Their *nouriſhing Factions in the Common-wealth*, *Schiſms in the Church*.

11. *Expelling learned Divines* to let in *ignorant men*. All theſe are tyrannical policies grounded upon the old principle, *That a Tyrant ſhould deprive his Subjects of all things that may nouriſh courage*, *ſtrength*, *knowledg*, *mutual confidence and charity amongſt them*; which Maxime the Politicians ſay contains the *whole Syſteme or method of Tyrannical Government*.

4. As this encroaching Faction have *uſurped all the Military and Civil power of both Kingdoms*; ſo they have *monopolized all the great Offices, rich Imployments, and Treaſure of the Land*; they are clearly the predominant party in all *Money Committees*; they *give daily* to one another *for pretended Services, Arrears, and Loſſes, great ſums of money*; many of their Largiſſes I have already ſet down. They gave lately to Col. *Hammond* Governour of the *Iſle of Wight*, for his Table 20l. a Week, 1000l. in money, and 500l. a year land; to Major General *Skippon* 1000l. *per annum* land of Inheritance; to Colonel *Mitton* 5000l. in money; *Prideaux* hath 100l. a Week benefit by the Poſt-Maſters place; his whole Eſtate (before this Parliament) was hardly worth a 100l. nor is he eminent for any thing but *impudence* and *arrogance*. Mr. *Rowſe* hath *Eaton College*, worth 800l. *per annum*, and a Leaſe of that College worth 600l. *per annum*, Sir *William Alanſon* the Hamper-Office, and *Crab Caſtle* worth 600l. *per annum*, bravely wooded: Alder. *Hoyl* of *York*, the Treaſurers Remembrancers Office: Mr. *Sallaway* a poor Grocer, the Kings Remembrancers Office; neither of which, are able to read any one Record in thoſe Offices. *Tho. Scot, Lambeth-houſe*: Sir *Wil. Brereton, Croydenhouſe*, Col. *Harvy, Fulham* and *Norwich-houſes*. Mr. *Liſle* the Maſterſhip of St. *Croſſes*: *Dennis Bonds* 3. Sons. each of them a Place worth 500l. a year, beſides many others. All the cheating, covetous, ambitious perſons of the Land, are united together under the name and title of *The Godly, the Saints, &c.* and *ſhare the fat of the Land between them*, few of them *pay any Taxes*, but *all the Land pays Tribute to them.*

4. The Independents divide the Taxes, Spoils, and preferments of the land between them.

It is thought this *Faction*, their *under-Agents* and *Factors* have coſt this *Common-wealth* above 20. *millions* never laid forth in any publick ſervice; nay, the *Treaſurers* and *Publicans* of this *Faction* have *clipped* and *waſhed* moſt of the *Money* that comes into their fingers before they pay it forth, knowing that any money that comes out of their fingers will be accepted: *two Gold-ſmiths* are thought to be *dealers this way*, yet they *lay the blame* on the *Scotiſh Army*, as the *Cuckow lays her brood in other Neſts.*

5. Having thus imped their wings for flight, they have provided themſelves of places of retreat in caſe they cannot make good their ſtanding in *England*: *Ireland* is kept unprovided for, that they may find room in it when neceſſity drives them thither. If

5. The Independents Provide places of retreat to flee

their ro-

their hopes fail in *Ireland*, they have *New-England*, *Bermudas*, *Barbadus*, the *Caribby* Iſles, the Ille of *Providence*, *Eleutheria*, *Lygonia*, and other places to retreat to, and lay up the ſpoils of *England* in: nay they uſually ſend *cheſts* and *veſſels with money*, *plate* and *goods* beyond Sea, with *paſſes* from the *two Speakers to let them paſſe without ſearching*: the *Navy* is in their power to accommodate their *flight*, and by their inſtruments called *Spirits*, they have taken up many Children and ſent them before to be *Slaves* and *drudges* to the *Godly* in their *ſchiſmatical Plantations*, as the *Turk* takes up *Tribute Children* from the *Chriſtians* to furniſh his *nurſery* of *Janiſaries*; and ſo they have their *Agents* that buy up all the Gold they can get, *Cromwel* not long ſince offered 110001. in ſilver for 100001. in gold; beſides he is well furniſhed with the Kings Jewels taken in his Cabinet at *Nazeby*; many of them known Jewels, as the *Harry* and the *Elizabeth*.

6. The vulgar Independents but props and properties to the Grandees.

6. Nor ſhall the vulgar ſort of *Independents* either in *Parliament*, *Army*, or *City*, fare better then the reſt of the *Kingdome*. The *Grandees* both of *Parliament*, and *Army* endevouring to adjourn the *Parliament*, and draw all the power of both Houſes into the Committee of *Derby-houſe*, conſiſting but of 30. or 40. the reſt of the *Independent Members* will find their power diſſolved in the Adjournment, and ſwallowed up by that Committee, and their ſervices forgotten; nor ſhall they have any power in the *Militia*, which is the only quarrel between them and the King; the *Grandees* diſdaining to have ſo many Partners in that which they have got by their own wits; for know, that the *Grandees* have always been winnowing the Parliament. Firſt, they winnowed out the *moderate men*, under the notion of the *Kings party*, then the *Presbyterians*, and now they will winnow forth the *lighter* and more *chaffy* ſort of *Independents*, who ſtand for the *Liberty of the People*; a thing which *Cromwel* now calleth, *A fancy not to be engaged for*; and ſo they will bring all power into their own hands. Thus having contracted the *Parliament* into a *Committee of ſafety*, they will adjourn themſelves (though the Parliament cannot) to *Oxford* or ſome other place which they more confide in then *London*: and this is the *ſettling the Kingdm without the King*, they ſo much aim at; and which, they had rather the people ſhould be brought *practically* and by *inſenſible degrees*, then by *Declarations* held forth to them before-hand, o

by

y *politick Lectures* in the *Pulpit*. Thus it is decreed, that this Ca-
al of *Godly men* at *Derby-houſe* ſhall with *military Ariſtocra-*
y, or rather *Oligarchy*, rule this *Nation* with a *rod of Iron*, and
reak *them in peices* like a Potters *Veſſel*.

Obſerve, that the *Ordinance* by which the *Committee* of *Derby-*
houſe is revived, and the *addition* of Power to it, are purpoſely
enned in ſuch ambiguous terms, that *He that hath the Sword in*
is hands may make what conſtruction of them he pleaſeth: neither
ere they clearly penned. Is it in the *power of the Houſes* (being
ut the *Truſtees* of the people) *to transfer or delegate their truſt*
a leſſer number of men? a truſt not being transferrable by Law, and
he people having choſen a Parliament, not a Committee, to look to
heir ſafety and peace.

7. The *Grandees* of the Parliament and army have brought the ingdom to ſo miſerable a condition, that they have left no Au-ority in *England* able to ſettle peace: The KING is a cloſe riſoner to the Army, therefore all he ſhall do will be clearly oid in Law, by reaſon of *Dures*: The Parliament is in Wardſhip them, who keep armed Guards upon them, Garriſons round a-out them, & by illegal accuſations, blanck Impeachments, threat-ng Remonſtrances, and declarations, *&c.* fright away many embers, and compell the reſt to Vote and un-Vote what they eaſe, whereby all the Parliament doth is void and null in Law *initio*, it being no free Parliament, but a Sub-committee to the rmy, and living as the *Egyptians* did, under vaſſalage to their vn *Mamaluchi*, or Mercenaries: The people therefore muſt re-lve either to have *no Army*, or *no Peace*.

7. The Army hinder Peace and Settlement.

8. They have put out the eyes of the Kingdom, the two Uni-rſities of *Oxford* and *Cambridge*, and have brought the whole nd to make ſport before them; knowing that *Learning* and *Re-ion* as well as *Laws* and *Liberties*, are enemies to their barba-us, irrational, and *Ruſſian* way of Government.

8. The two Universities deſtroyed.

9. Many honeſt men ſeduced by fair pretences took part with them; never intending to leave their firſt principles, and enſlave King and Kingdom.

9. Many honeſt men took part with this Parliament, ſeduced by thoſe fair pretences of *defending Religion, Laws*, and *Liberties* ich they firſt held forth to the People; and being unwilling to re a *Parliament* conquered by *the Sword*, not thinking it poſſible t a *prevailing Faction* in Parliament ſhould ſo far prevaricate as *conſpire to enſlave King, Parliament, and Kingdom, to ſubvert Laws, Liberties, and fundamental Government of the Land*, under

under which *they and their Poſterity were, and were likely to be ſo happily governed; and betray Religion unto Hereticks and Schiſmaticks, and ſhare the ſpoils of the Commonwealth between them, and think of enriching themſelves with them in forein Lands,* yet many at the beginning *much diſliked,* that *Religion* ſhould be uſed as an *ingredient* to the carrying on of a *Civil War,* and that *Schiſmaticks* ſhould have ſo great a ſtroak in managing the buſineſſe; yet were pacified with this conſideration, that we muſt refuſe no helps in our defence: if a man be aſſaulted by Thieves on the high-way, he will not refuſe to joyn with Schiſmaticks or Turks in a common defence; the ſame authority that then countenanced thoſe Schiſmaticks (it was hoped) would be able to diſcountenance them again when the work was done. But the *Grandees* of the Houſes, having other deſigns) had ſo often purged the Houſes, that they left few honeſt moderate men in them to oppoſe their projects, ſtill bringing in Schiſmaticks, and men of their own intereſts, by enforced and undue Elections, into their rooms, and ſo by inſenſible degrees, new modelled the Houſe ſuitable to their own corrupt deſires, and new modelled the Army accordingly; ſo that the people (who had no intention to be intereſted ſo far) were ſtep by ſtep ſo far ingaged before they were aware, that they could not draw their feet back, and do now find (to their griefe) that the Bit is in their mouths, the Saddle faſt girt on their galled backs, and theſe Rank riders mounted, who will ſpur them (not only out of their Eſtates, Laws, and Liberties, but) into hell with renewed Treaſons, new Oaths, Covenants and Engagements, if they take not the more heed and be not the more reſolute: they have changed their old honeſt principles, and their old friends, who bore the firſt brunt of the buſineſſe, and have taken new principles and friends in their room, ſuitable to their preſent deſperate deſigns, and now (that they have ſqueeſed what they can out of the Kings party) they think of ſequeſtring their old friends becauſe they adhere to their old principles.

10. Who are the Kings bittereſt enemies.

10. Amongſt thoſe that are moſt bitter againſt the King, His own Servants (eſpecailly the *Judaſſes* of the Committee of the Revenue, that carry His purſe, and have fingered more of His Money and Goods than they can or dare give an account for) are the greateſt Zealots, thoſe that take upon them imployments about his Revenue, and ſhare what allowances to themſelves they pleaſe

for

for their pains; thoſe that buy in for trifles old ſleeping Penſions, that have not been payed nor allowed this thirty years, and pay themſelves all arrears; thoſe that rent parcels of the Kings Revenue, for the eighth or tenth part of the worth, as *Cor. Holland*, who renteth for 200l. *per ann.* as much of his Eſtate as is worth 1600l. or 1800l. *per annum.* Thus you ſee the *Lion* (Lord of the Foreſt) growing *ſick and weak*, become a prey and is *goared* by the *Ox*, *gitten* by the *Dog*, yea, and *kicked* by the *Aſſe*. Look upon this *preſident* you *Kings* and *Princes*, and call to mind examples of old, that of *Nebuchadnezzar*, and others, *leſt by exalting your ſelves too high, you provoke God to caſt you too low.*

II. Forged Conſpiracies and falſe News.

When the *Grandee Independents* have a deſire to *raiſe new Forres*, or *erect new garriſons*, or uſe any *extremity againſt the City*, or *Royal party*, they commonly uſher in their deſign with reporting to the Houſe *the diſcovery of ſome new, invented conſpiracy*, or *plot full of danger and deſtruction*; ſuch as was that of *many thouſand conſecrated Knives*, and then propound their own forelaid *deſign* is a counſellable way to prevent it; and he that doth not *haſtily beliefe their Informations*, or doth *argue againſt the remedies they propound*, (though he ſhew never ſo great inconveniency in them,) is preſently cried out upon as a *Malignant, that doth not take the danger of the Parliament to heart*, and branded by the *bleak tongue the Godly*; and when any *great buſine* is to be *treated of in Parliament*, or *City*, which they either *deſire to promote*, or to *obſtruct* they commonly publiſh *counterfeit News*, and *Letters of great victories and ſucceſſes*, gotten by their *Party* in parts ſo *remote*, that they cannot in a ſhort time be confuted; this ſerves *to credit* and *animate their party* to go on *boldly with their work*, and *to diſhearten their Opponents*; and though the profit and reputation of a ſuch ſeldom long lived, yet if it laſt ſome few daies, untill they have *carried on their preſent buſineſſe*, they care not: herein they imitate a *skilfull Architecto*, who buildinſt an *Arch*, ſupports it in the beginning with *circular props*, and *pieces of Timber*, untill he hath poſed it, and enabled it to ſupport it ſelf, and then throws away the *props.*

The Art of Slander and Calumny.

When they have a deſign to *ruine any man*, before they fall openly upon his *perſon*, they *ſecretly undermine his credit and reputation*, that afterwards *they may oppreſſe him with applauſe*, and they are ſo excellently well fitted with *Agents* and *Inſtruments* for this purpoſe, that they can prove what they liſt. The *cloſe Com-*

[illegible] *minations* is an excellent forge for these *contrivances*; they know where to find the *sonnes of Belial* (now commonly called *Knights of the Post*) who will trust God with their *souls* to advance *the good Cause*; they have *secret examinations* of severall sorts, some *preparatory* only, amounting but to suspitions and presumptions, to wound a mans good name, and make him liable to more deadly blows hereafter; and some *consummatory*, laying the Axe to the root at the first blow: nor is it a small Artifice of theirs boldly to accuse other men of those *crimes* they themselves are *guilty of*, as they did the 11. *Members* of *trucking with the King*, being their own fault; by this meanes it doth *constare de re* presently, it appears such offences are committed: and if they can but fix them upon the persons of other men by bold *Accusations*, close *Examinations*, and *false Witnesses*, then *constat de persona*, they have found men to personate them, deputies to bear the ignominy and punishment of their sins: so some lascivious persons free themselves, bestowing their diseases upon others.

What a Confiding man is.

They account no man a *Godly, faithfull, confiding man*, but he that engages as far in sin, and makes himself as hopeless of reconciliation, as themselves. *Quis nunc deligitur nisi conscius?*

14. The last Retreat and Refuge of the Godly.

Since the *revolt* of some of *their Ships* hath almost made them *hopeless* of *transportation* to *foreign Plantations*, the *schismatical Grandees* have made Col. *Walton* (Brother-in-Law to *Cromwell*) Governour of *Lyn*, *Boston*, and *Crowland*, and of all that level of morasse Ground in the Isles of *Ely*, *Holland*, and *Marshland*, which they can lay under water at pleasure: it is a plentiful and strong fastness, able to feed 40000. men, besides the ordinary Inhabitants; there are but three passes to enter it, over three Bridges, upon which they have, or may build Forts, for their defence, & may from thence invade the adjacent Country at pleasure, being themselves free from incursions; or they may (if they list) break down the said Bridges. These places (already strong by nature) they daily fortifie by art; for which purpose great sums of *money* have been sent to him, and much *Arms*, *Powder*, *Ammunition*, and *Ordnance* from *Windsor Castle*: Here (when all other helps fail) the *Godly mean to take Sanctuary*, this shall be their last *retreat*, from whence they will draw the whole Kingdom *to Parly upon Articles of treaty*, and *enforce their peace from them at last*. These are the *stratagems of the Godly*: These are our *Saints*, no where *canonized* but in the *Devils Calendar*.

As

As the Church of *Rome* is never unfurniſhed with *dormant Articles of Faith* upon all emergent occaſions; ſo the *Grandees* are never unprovided of *dormant Privileges of Parliament* (which they call (by a new canting word) *lex Parliamenti*, in oppoſition to *lex Terræ*) with theſe they bolſter out their deſigns. Theſe privileges were much inſiſted on in their Impeachments of the Members and Aldermen; and whoſoever pleads againſt them in his own defence, and flies from thoſe privileges to the known Laws for Sanctuary, is cried out upon for overthrowing the Juriſdiction and privileges of Parliament, and therefore guilty of Malignancy; thus *John Lilburn* ſuffers: if he does not plead againſt them, he laies his head on the block at the mercy of thoſe mercileſſe men. This net caught many a Wood-cock, until the ſaid Aldermen and Sir *John Maynard* broke through it, and ſpoiled the cock-road.

15. Suppoſititious Privileges of Parliament: ſee *The Hiſtory*, ſect. 105. 106.

The Grandees of the Parliament and Army have ſo totally ſubverted our fundamental Government and Laws, that they have neither Monarchy nor Common-wealth left; *non jam Reſpublica ſed magnum latrocinium eſt*, we have not ſo much as a face and ſhadow of Government remaining; we have a KING *de jure*, but ſo wholly eclipſed and diſabled to perform Acts of Government by his cloſe impriſonment, that (for the preſent) we have no King *de facto*, and every man doth what ſeemeth good in his own eyes; we have Magiſtrates, Judges, and Juſtices *de facto* but not being conſtituted and ordained by any lawfull Authority nor under any authentical Great Seal according to the Laws of the Land, they are not Magiſtrates and Judges *de jure*, ſo that if we look upon the King our Supreme Governour, our violent Grandees have brought an *inter-regnum* upon us; If upon our Magiſtrates, Judges, &c. they have brought a *Juſtitium* (a total eclipſe of juſtice) upon us: it follows then, that both the imperative and coercive power of the king and Magiſtrates, the legiſlative power of the Parliament, the judicative power of the Judges and Juſtices, are all ſuſpended and in *Abeyance*: and like a Watch, when the principal wheels are broken, no part can move to perform its function. *Contzenius* the Jeſuit in his *Polities*, *He that will introduce a new Religion, or a new form of Government, muſt utterly aboliſh the old, and erect his new Fabrick upon the ruines of it.* You ſee they have been apt Scholars in this doctrine of the Jeſuite this 7 years, which they have ſpent in De-

16. The confuſion this Monarchy is brought unto: ſee *The Hiſtory*, ſect. 105, & 106.

moliſhing; but what form of Government our Grandees will erect upon the ruines they have made, doth not yet appear, nor how ill *juſt* intereſts, and mens particular Eſtates ſhall be preſerved from being buried under the ruines of this Earthquake.

17. The Regal, Legiſlative, and Judicative power uſurped.

The King is the only ſupreme Governour of this Realm of *England* to regulate and protect the people by commanding the Laws to be obſerved and executed, and to this end He (and He alone) beareth not the Sword in vain; yet the KING by himſelf can neither make, repeal, or alter any one Law, without the concurrence of both Houſes of Parliament, the *Legiſlative power* reſiding in all three, and not in any one or two of them Eſtates, without the third, and therefore no one or two of them can exclude the other from having a *Negative voice* in paſſing, repealing, or changing of Laws; nor can the King by himſelf, or joyntly with the Lords and Commons judge *what the Law is*, this is the office of the ſworn Judges of the two Benches and Exchequer, who are the known Expoſitors, and Diſpenſers of *Law and Juſtice* in all cauſes brought before them; yea they do declare *by what Law the King governs*, thereby keeping the KING from governing arbitrarily and enſlaving the People. And theſe Judges of the Law have always been authorized by the King; and all legal proceedings have been in his Name, and by his Authority 1200 years before *Magna Charta* granted, or any ſet form of Parliament eſtabliſhed. The Law it ſelf is called, *The Kings Law*; the Realm, *the Kings Realm*. He is the fountain of *juſtice, mercy, honour*, witneſſe all our Statutes, Law-Books and Hiſtories, and the Oaths of Supremacy, which every Member taketh before he ſits in Parliament. Now for any one man, or any Aſſembly, Court, or Corporation of men (be it the two Houſes of Parliament) to uſurp theſe three powers, 1. The *Governing power*, 2. The *Legiſlative power*, 3. And the *Judicative power*, into themſelves, is to make themſelvs the higheſt Tyrants, and the people the baſeſt ſlaves in the world; for to govern ſupremely by a Law made, and interpreted by themſelves according to their own pleaſure, what can be more boundleſſe and arbitrary? they may put to death whom they pleaſe for what cauſe they pleaſe, and confiſcate his eſtate to their own uſe; yet this the two Houſes of Parliament, or rather an overpowring party in the two Houſes, ſeaſoned with a Schiſmatical humour of ſingularity, have lately done.

1. For the *Governing power.* 1. They coyn, enhaunce, and a-
ate money. 2. They make War and peace, and continue an ex-
aordinary Militia of an Army upon us. 3. They declare who are
nemies to the Realm. 4. They maintain forein negotiations.
. They regulate matter of Trade, and exerciſe other Regalities:
hereas all *Jura Regalia* belong only to the King as Supreme
overnour.

2. For the *Legiſlative power.* They exclude the King from his
egative Voice, and the two Houſes obtrude their Ordinances
hings ſo new, that they are not pleadable in any Court of juſtice)
Laws upon the people; laying an exciſe, Aſſeſſements, and taxes
on the People: They Vote and declare new-Treaſons, not
own by the ſtatute 25 *Edw.* 3. nor by any other known Law; yea
en to make or receive any addreſſe to, or from the King; and
ey account it a breach of Privilege, if men do not believe it to
Treaſon, being once declared. They out men of their free-holds
d impriſon their Perſons, contrary to *Magna Charta*, by Ordi-
nces of Sequeſtration, &c.

3. For the *Judicative power.* They erect infinite many of new
dicatories under them, as their Committees of complaints, of
:et Examinations, of Indempnities; their Country Committees,
here buſineſſes are examined, heard, and determined without,
y againſt *Magna Charta*, and the known Laws: nay even in
pital crimes they wave the Courts of Law, and all Legal pro-
edings by Outlawry, Indictment, or Tryal by *Peers*, and *Bill attainder*; (which is the only way of Tryal in Parliament: For
e Parliament cannot judicially determine any thing, but by Act
Parliament) and ſet up new-invented forms of proceeding be-
re the Lords (even againſt free Commoners, although the
rds be not their Peers) as in the caſe of the four Aldermen,
c. and the *Arch-biſhop* of *Canturbury*: They defend theſe do-
gs by a pretended neceſſity of their own making: but when
e King had neither Army nor Garriſon in the Kingdom, and
ereby this neceſſity was removed, why did they not (to pre-
nt Tumults, Inſurrections, and a new war) content the People,
d return all things into their old Chanel, and reſtore to the
ople their Religion, Laws, and Liberties, being their firſt p in-
ples, for which they engaged them to ſpend their blood and
eaſure, and for defence whereof, they engaged themſelves and
in a Covenant, with Hands lifted up to the High God? Why

did

did they then provoke the Scots to a new War? but that they might have occaſion to keep up their Army ſtill, and inthrall the Kingdom: look upon their Doctrine, as well as their aforeſaid practiſes, and you will find that all they do, is but to carry on a fore-laid deſign, to lay by the King and enſlave the People, under the new erected Kingdom of the Saints: the Grandees of *Derby-houſe* and the Army. In the Declaration againſt the *Scots* Papers, *p.* 67. They have adjudged the King unfit to Govern, and *p.* 70. they ſay, the power of the Militia was the principal cauſe of their war, and quarrel with the King; and in their Declaration againſt the King, they ſay, they cannot confide in him. It hath been commonly ſpoken in the Houſe of Commons, that the two Houſes, nay, the Houſe of Commons alone, is the Supreme power of this Nation under God. 16. *March*, 1642. Both Houſes Voted it a High Breach of Priviledge of Parliament, for any Perſon, (not excepting King or Judge) to oppoſe their Commands, or to deny that to be Law, which the two Houſes declared to be ſo. In their Declaration againſt the *Scots* papers, p. 63. The Members ſay, That in all matters either concerning Church or State, we have no judge upon Earth but themſelves. Who will account the *Popes* plenitude of power monſtrous hereafter, that ſhall obſerve this Doctrine and practice of Subjects in Parliaments claiming and exerciſing a Supreme Government, (whereof the Militia is a part) a Legiſlative and Judicative power over the Conſciences, Lives, Liberties, and eſtates of their fellow Subjects; And all this under colour of a neceſſity, raiſed by themſelves out of a diſpute they ſet on foot againſt the King, which they have affirmatively adjudged and determine for themſelves againſt him, without conſulting the Laws, Statutes, and uſages of the Realm; Nay, the very Oaths of Supremacy and Allegiance, which all with one voice ſpeak againſt them? Who would think that a faction in Parliament, or any peſt leſſe than an Earth-quake or Deluge ſhould in ſeven years time reduce ſo well-formed a Common-wealth into ſuch a *Chaos*? Yet even now the people are promiſed to be governed by the known Laws, and Judges are appointed to determine ſutes according to the Laws. Surely, There never was Tyrant that deprived his Vaſſals of a known Law amongſt themſelves, this were to diſable them to acquire wealth, and ſo loſe his own benefit of Taxes and Confiſcations. By the Laws of *England*, a villain was protected in his goods againſt

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all men, his Lord excepted: The *Turkiſh* Vaſſals heap up much wealth, and are protected againſt their fellow ſlaves, though n against their Grand Seigneor who may ſeize their eſtates, and tal their lives at pleaſure: And this is all the protection the people *England* have now by the Laws. We have the benefit of Law on againſt another, (unleſſe ſome Powerfull Member interpoſe) but a- gainſt the two Houſes, or either of them, or any Grandee, what Law, what Juſtice can protect our lives, liberties or eſtates? and yet we were allowed heretofore to make our defence in Law a- gainſt the King. And until the King be again reſtored to his Right, expect no better Right to be done you by this heedleſs headſtrong Faction in Parliament.

18. The final ſcope of the Grandees endeavours.

The ſumme of all their endeavours is no more but this; The Grandees of *Derby-houſe* and the Army have already by their Votes of *no Addreſſes*, and their ſcandalous Declaration *laid by the King, and in Him Monarchy*, (notwithſtanding they delay and fool the people with tedious debates of a Perſonal Treaty,) And *when this innovation is digeſted* by the people, their next ſtep will be to make uſe of the Schiſmatical, Antimonarchicall party in the Houſe of Commons, Army and City, *to caſt off the Houſe of Peers*, as Prerogative creatures and rags of Royalty: (ſome Schiſmatical Plebeian Lords excepted, who ſhall recruit the Power they loſe in the Houſe of Lords, by being of the Committee of *Derby-houſe*) and when the people are well inured to this change, and the grie- vance of it worn out by cuſtom, then *to lay by the Houſe of Com- mons, and uſurp the full Power of the King and Parliament into the* Committee of Safety at *Derby-houſe*, who by way of preparation, doe already ſtile themſelves in all forein Negotiations, The STATES: Nay they do already act all matters of moment at home, and aſſume unto themſelves all the properties of a State, the Parliament being but a Sub-Committee to them, upon whom they put what Impoſitions and Injunctions they pleaſe; witneſſe the deſign put upon the Houſe of Commons *for every Member to ſubſcribe what number of Horſe he would maintain for a Guard*; I know not whether to the Parliament, or to the Committee of *Derby-houſe*.

19. The Prognoſtick of this Diſeaſe.

This diſeaſe being now come to its *Criſis*, it is no hard matter to prognoſticat, That nature (that is, the King, our natural liege Lord) muſt inevitably prevail at laſt againſt this Antimonarchical Facti- on, for theſe reaſons.

1. The

. The King can never w[illegible] a Party: the Parliament (or rather timonarchical faction in Parliament) can never manage a party ...hout faction and confuſion.

2. The King may husband his treaſure to His beſt advantage: ıe faction in Parliament cannot, but muſt neceſſarily be cheated; ıat they may be followed and befriended: ſince only common ımes, and common profit glues and cements them together; and ıly ſuch ate found to be confiding men to them.

3. The King is now diſcovered, (to every common capacity) to ıve all the known Laws on his ſide: the Parliament all known aws againſt them, and the people will no longer be governed ithout Law, by new Arbitrary inventions.

4. The King hath recovered all the peoples affections: the Parliament hath loſt them; a privation which can never be reduced ıto habit again.

5. The King is allyed both in Conſanguinity of Blood, and affiıity of Cauſe with all the Princes of Chriſtendom: the faction in Parliament are *terra filii, fatereuli Gigantum*, Muſhromes.

6. The Kings Army will obey Him and His Intereſt: the Parliaments Army will command them and their Intereſts: beſides hey are men of different Principles and Intereſts, only help toge her by profit; and when that failes, they fall in ſunder.

Nothing therefore but a free *Perſonal Treaty* in *London* can prevent a Conqueſt, whatſoever deſperate forlorn people ſay to the contrary.

The Epilogue.

I Am not Ignorant that there is a natural purging, a natural phlebotomy, belonging to Polttique, as well as to Natural bodies; and that ſome good humors are alwaies evacuated with the bad; yet I cannot but deplore what I have obſerved, That the honeſteſt and juſteſt men on both ſides (ſuch as, if they have done evil, did it becauſe they thought it good; ſuch as were carried aſide with ſpecious pretence, and many of them ſeduced by pulpit-devils, who transformed themſelves into Angels of light) have always fared worſe than oth

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men, as if this difference between the King and Parliament were but a ſyncretiſmus *or illuſion againſt honeſt men: nay, I do further foreſee, that in the period and cloſing up of this Tragedy, they will fare worſt of all, becauſe they have not taken a liberty to inrich themſelves with publique ſpoils, and fat themſelves by eating out the bowels of their mother, but are grown lean and poor by their integrity; whereby being diſabled to buy friendſhip in the days of Trouble, they will be put upon it to pay other mens reckonings. When* Verres *was Prætor of* Sicily, *he had with wonderful corruptions pillaged that Province; and at the ſame time the Prætor of* Sardinia *being ſentenced for depeculating and Robbing that Province,* Timarchides, Verres *Correſpondent at* Rome, *writ a very anxious Letter to him, giving him warning of it: But* Verres *in a jolly humour anſwered him,* That the Prætor of *Sardinia* was a fool, and had extorted no more from the *Sardinians* then would ſerve his own turn; but himſelf had gathered up ſuch rich booties amongſt the *Sicilians*, that the very overplus thereof would dazle the eyes of the Senate, and blind them ſo, that they ſhould not ſee his faults: *Such (I foreſee I will be the lot of the more juſt and modeſt men, who ſhall be guilty becauſe they were fools, as the other ſort ſhall be innocent becauſe they were knaves. Whatſoever befalls (you clear and innoxious ſouls) be not aſhamed, be not affraid of your integrity: if this Kingdom be a fit habitation for honeſt men, God will provide you a habitation here: if it be not capable of honeſty, God will take you away from the evils to come, and pour out all the Vials of his wrath on this totally and univerſally corrupted Nation, this incurable people,* Qui nec vitia ſua nec eorum remedia ferre poteſt: *for my own part, (if I am not ſuch already) I hope God will make me ſuch a man,* Quem neque pauperies, neque mors, neque vincula terrent; *and if* Moſes *in an heroick zeal, to draw a remiſſion of the peoples ſin from God, deſired to be blotted out of his Book, (the Book of Life) and St.* Paul *to be* Anathema *for his Brethren; why ſhould not I (with relation to my ſelf, and ſubmiſſion to Chriſt) ſay,* oportet unum mori pro populo, *it is fit one man die for the people, and devote my ſelf to death for my Country, as the family of the* Decii *in ancient* Rome *were wont to do? I have read and admired their examples, why not imitate them? is it becauſe (as* Machiavel *ſaith) The Chriſtian Religion doth too much break, enfeeble, and cowardiſe the ſpirit of man, by perſecuting and ſubduing nature, by denying her due Liberty, and tying her to be more paſſive then active?* At facere & pati fortia Romanum

imo Chriſtianum eſt; *or is it becauſe in this generall deluge of ſin and corruption, a publique ſpirit, and excellency in virtue is accounted a degree of madneſs? or is it becauſe of the corrupt judgement of theſe times, which makes a man more infamous for his puniſhment then for his ſin? and therefore Heroik acts are out of faſhion: the circumſtances and ceremonies of Death are more taken notice of, then Death it ſelf; theſe follies weigh not with me.* Sublimis an humi puteſcam, parvi refert. *The Thief upon the Croſſe found a ready way to Heaven, How much more an honeſt man? Many a man out of Priſon ſteps into Heaven, no man out of Paradiſe ever found the way thither:* Salebroſa ſit via, modo certa modo expedita; altè ſuccinctus iter me accingo.

THe Premiſes conſidered, I do here in the name and behalf of all the free Commons of *England* declare and proteſt, that there is no free nor legal *Parliament* ſitting in *England*, but that the two Houſes ſit under a viſible, actual and an horrid force of a mutinous *Army*, and of a ſmall party of both Houſes conſpiring and engaged with the *Army*, to deſtroy, expell, and murder with falſe Accuſations, and Blank and Illegal Impeachments and proſecutions, the reſt of their fellow Members, who ſate in *Parliament* doing their duty, when the two Speakers with a ſmall company of Members, ſecretly fled away to the *Army*, & ſate in Council with them, contriving how to enſlave *King*, *Parliament*, *City*, and *Kingdom*, and how to raiſe Taxes at their pleaſure, which they ſhare amongſt themſelves and their party, under the name and title of *the Godly*, *the Saints*; and afterwards they brought the *Army* up to *London* againſt the *Parliament* and *City* in hoſtile manner, a deſign far exceeding the Plot of *Jermine*, *Goring*, *&c.* to bring up the *Northern Army to* London, *to over-awe the Parliament*: I do farther proteſt, that the two Houſes have ſate under the ſaid force, ever ſince the ſixth of *Auguſt* 1647. and therefore all they have done, and all they ſhall do, in the condition they ſit in, is void and null in Law, *ab initio*, by their own doctrine and judgement included in their Ordinance of the 20. of *Auguſt* laſt, whereby they *null* and void, *ab initio*, all Votes, Orders, &c. paſſed from the 26. *July*, 1647. to the 6. *Auguſt* following.

Arguments againſt all accommodation and Treaties, between the City of LONDON, *and the ingaged Grandees of the Parliament and Army.*

1. *IT will never be ſafe nor honourable, for ſo great a City to accommodate and joyn intereſt with a conſpiring Party, that by frequent violations of their faith and duty, have inſlaved King, Parliament, City and Kingdom, and broken the Faith of this Nation, given to the Scots in the large Treaties, and in the National Covenant.*

2. *By accommodating with them, you make all their crimes your own; their ſubtilty being to involve you to joyn with them in defence of their crimes.*

3. *The Scottiſh quarrel is not againſt the Engliſh Nation, but againſt the treacherous and hypocritical Grandees, who by periuring themſelves, and falſifying their ingagements both unto Kingdom and Army, keeping the Souldiers by falſe ſuggeſtions from disbanding, and totally obſtructing* Irelands *relief; and alſo a conſpiring party in Parliament, who keep them up to make good the aforeſaid crimes, forcing what Votes they pleaſe to paſſe, by over-awing the Parliament: Witneſſe* Cromwels *laying his hand upon his Sword, and forceing the Houſe to paſſe thoſe traiterous Votes againſt the King, contrary to their own Conſciences, Allegiance, Proteſtations, Vow and Covenant, and to raiſe Taxes upon the people, which they ſhare among themſelves. This war is not like to be of any continuance, conſidering there being in the Army many conſcientious men, who have had ſuch ample experiment of the falſhood of their Grand Officers, that they are not like to hazard their lives again under the command of ſuch Grand Impoſtors as they are, alſo knowing the General hatred of the Kingdom to them, under whoſe inſupportable burthens and oppreſſions it groaneth. Nor have we any way to break the power of the ſaid Grandees of this Army but by the Scots, whereby the juſt rights and Intereſts of all the three Kingdoms may be ſetled, and* Ireland *relieved; All which the Scots have declared in their former Papers delivered to both Houſes of Parliament.*

4. *If you accommodate with this faction, you muſt have the ſame friends and foes with them, as well as the ſame ſins and quarrels; and then it will grow to a Nationall quarrel between* England *and* Scotland, *which will be of long continuance and miſery: and the Intereſt of the King and his Children, and of all Princes of Chriſtendom con-*

cerned in the example, will be carried on in the Kingdom of Scotland *againſt you, if you joyn with thoſe beggarly Grandees, who have inriched themſelves, and their fellow-Impoſtors, by the ruines of the Kingdom. You will loſe your credit and intereſts with your friends and brethren of* Scotland; *the only fear and terror of whoſe coming into* England *kept this Faction (which all men know is never ſatisfied with money and blood) from taking many of your innocent heads from off your ſhoulders, and confiſcating your Eſtates to pay the arrears of the Army: witneſſe their often ſpeeches to this purpoſe in the houſe of Commons, and their illegal and violent proceedings againſt you: you will likewiſe loſe all the people of* England.

I have ſhewed you your loſſes, let me ſhew you your gains by this accommodation, that by comparing one with the other, you may caſt up your account whether you ſhall be gainers or loſers by it.

1. *They offer you the Tower of* London, *and your Militia to be reſtored (things of no great conſideration) and your Aldermen and Citizens to be ſet at liberty: they do not offer to disband their Army, which makes them Lord it over you, and over power both Tower and Militia; and when they have divided you from all your friends, and deſtroyed your reputation, and are ſecure from the Scots, the ſame violence which at firſt took your Tower, your Militia and your moſt honeſt Citizens from you, can deprive you of them all again at pleaſure, when you ſhall have none to ſtick by you: your obligation to them ſhall be of ſteel, theirs to you but of ſtraw; he that gives me that he can deprive me of at pleaſure, gives me nothing.*

2. Cromwell *and his party knew your City to be the entire ſtrength of* England. *In* Rich. 2. *days (when it was not half ſo great and populous as now) it ſlew* Wat Tyler *and routed his rabble, ſix times as many in number as the Army. They therefore fear you, and conſequently hate you, and labour nothing more then to divide and weaken you, which is their proper intereſt: For which purpoſe (to divide the City in it ſelf) they cauſed the Parliament to change your Militia into other hands: they cut off* Weſtminſter, Southwark, *and the* Hamlets *from your Militia, to weaken it; they have divided you from the Parliament, they have endeavoured to divide the Country from you,* Ut dividendo ſingula imperent univerſis. *Wherefore the Army in their Remonſtrance 7.* December 1647. *inſolently demand Reparations from the City to the Country adjacent, for above* 100000l. *loſſe ſuſtained through the Armies attendance on the Cities defaults; which was a device only to make the Country*

quarrel

quarrell with the City, and to make the Army Umpiers.

3. *Conſider you ſhall joyn with them that never kept Faith longer then they may gain by it, whereof you have many examples. Any honeſt man may be deceived once, but he is a fool that will be deceived twice by one man.*

4. *Nay you cannot treat with theſe men, nor give them a Common Council, or Hall, without loſſe and danger: they have always made lies their refuge, and built their Deſigns upon the ſandy foundations of Rumors and Fables.*

Cromwel *and* Glover *already give out, that they and you are as good as agreed, that you differ only upon a punctilio of honour, which will ſoon be reconciled: what is the meaning of this? but that they (having creatures of their own, Commiſſioners in* Scotland) *have advertiſement to ſpread the ſame reports there, thereby to take off the edge of your friends affections; to lay an imputation of inconſtancy upon you, and make you inconſiderable in the judgements of your beſt friends, and retard all indeavours for your ſuccour. In the mean time this party hath blocked up all paſſages to* Scotland, *that truth can have no acceſſe to you, and you have only ſuch news as* Derby-houſe *doth pleaſe to impart to you. Theſe men have committed theſe crimes that cannot be ſafe without committing greater: they muſt on headlong: go not with them for company; they deſire to beſtow their plague-ſores upon others. Let it not trouble you, that the Parliament hath approved their ſubſcription of the Ingagement, with the Army; it was a Vote extorted in a thin houſe, many Members having been driven away by threats of the Army before, and there were many diſſenting Members. A little patience and conſtancy will ſettle you in a laſting peace.*

To petition the Houſes to repeal their four Votes againſt the King, is to ſave their reputation, that ſeek to deſtroy yours.

A ſeaſonable Caution to the City of London.

Gentlemen of the City

YOur Neighbours of *Kent*, and other Counties wiſhing well to them, take it unkindly, that (notwithſtanding all theſe former admonitions) you ſhould let down your chains, and give a free march to this bloody, cheating, ſchiſmatical Army at all hours of the night through your City to cut their throats, and lend

lend them 6000l. to enable them to march: when they had no other design, but in a peaceable way to deliver a Petition to the Houses, demanding nothing but what the Parliament by their Declarations, Covenant, the Oaths of Supremacy and allegiance, and the known Laws of the Land ought to grant: Onely, being fore-warned by the inhumane assassination of the *Surrey* Petitioners, they had some men in Armes, a sufficient distance from the Town, to secure their Messengers. They have by their Letters to your selves and the Houses manifested the clearnesse of their intentions to you all. They are known to be men of setled habitations and fortunes (for the most part) not vagabonds and Souldiers of Fortune like the Army. Their commerce with you help you both to trade and feed: whereas the Armies insolent march in triumph through your City, so far lessened your reputation ever since, that you constantly lose in your trading 200000l. a Week, and no Bullion comes into the Mint; whereby multitudes of you are undone, and yet the Armies Arrears, and all other Taxes are exacted from you with as much cruelty, as you lost nothing.

Remember that Butchery committed upon the unarmed Apprentices, when *Cromwel* cried to the Souldiers *to kill man, woman, and child, and fire the City:* at which time his Nose looked as prodigiously upon you as a Comet.

Remember the scorn put upon you by a Grandee when you were enabled to put up your Chains again; That the House had consented your Posts should have Chains as well as your Aldermen, and did as well deserve them. And *Weaver*'s word when your Guards came to attend the House, *that 60. of the Army should beat 3000. of them.*

Remember how unwillingly and juglingly they restored unto you the *Tower* (first plundered of all its ammunition you formerly had in it) and part only of your *Militia*, and that clogged with many restrictions: they that bestow gifts so grudgingly upon you when they are weak, will deprive you of them again when they are strong. Adversity makes them your false friends, Prosperity your real Enemies, Necessity only ties them to you: have a care therefore you do not relieve their necessities, lest you lose them, like the frozen Snake in the bosome, when they grow warm they will bite and sting.

You seem to have forgotten the unjust imprisonment of your Aldermen; the unfaithfulnesse and inconstancy of their Votes,

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and Ordinances, even for ſecurity of Money, and Land bought the ſeverall Informations and Teſtimonies you had of their goo intentions to borrow more of your Money, not by way of Loa nor upon the Publique Faith, but by way of plunder. Notwitl ſtanding all theſe injuries, and many more, (as if God had inf tuated you, to deſtroy you) you ſuffer a corrupt Faction within yo to Liſt men (to the amaze nent of your neighbour Counties whoſe principles you firſt examine; and if they be not *Indepen dents*, you truſt them not with Arms. I hear of a young man, wh being asked, *of what principles he was?* he anſwered, *That in theſ doubtfull times he profeſſed no principles but gain:* to whom was re plied, *then we are of one principle, for we are reſolved to keep wha we have got.* Behold the Principle of theſe men that obſtruct ou peace! conſider that Heaven and Earth have denounced war gainſt theſe men, and that God himſelf hath touched the hearts all men as one man to riſe againſt them, & demand to have Peac Religion, and Juſtice reſtored. When the whole Kingdom ſha riſe in a flame, what will be your lot, but ſmoak in your eyes, and laſt a conſuming fire in your bowels? when you only ſhall be le to maintain this domineering Army with your money, and to r cruit them with your blood? many of their Officers ſay alread *That the Country is exhauſted of Money, and you ſhall be their purſe bearers:* but becauſe you are a curſt Cow, they muſt keep the *Arm* about you, that the Souldiers may hold you by the *horns* whil their friends milk you.

Conſider how abſolute a neceſſity, and how general a reſolutio there is, that all things ſhould return to their old channel: If yo ſtop the violence of this Torrent, it will ſwell untill it overwhelt and drown you. You that are guiltleſs, joyn not with the guilty you that are guilty ſin no more; there will be mercy for you if yo repent, and amend in time. The very multitude of offenders wi help to excuſe your offences; let not deſpair hurry you from on ſin to another until you fall into deſtruction, as it did *Judas*, whoſ Deſpair (by all Divines) is held to be a greater impiety then hi Treachery; by the firſt, he ſinned againſt the God-head of Chriſ by the ſecond againſt his Manhood only.

The Remonſtrance and Declaration of the Knights, Eſquires, Gentlemen, and Freeholders in *COLCHESTER.*

PEtitions (the birth-right of Subjects) are by Law our addreſſ to our King, (Gods Vicegerent) *by cuſtom our approaches to t Houſes of Parliament, (His Majeſties great Council,) by them uſed humbly to preſent our modeſt deſires, and were wont to recei anſwers (as* Gideons *fleece the dew) without noiſe, yet ſatisfactor but that was denied our firſt Petition, and before our ſecond could ready, our brethren of* Surrey *by theirs ecchoed our prayer to bo Houſes of Parliament, but received their anſwer,* (as the Jew their Law) *in thunder and lightning, a two-edged ſword the tongu and the report of Muskets the voice, which ſpake nothing but woun and death.*

We *therefore thus admoniſhed, reſolved thus to preſent our gri vances to the World, and our Petitions to Heaven, for a bleſſing up our intended indeavours.*

Our grievances are theſe:

1. *Firſt, the diſtraction and threatned ruine of our glorious* Pr teſtant Church, *the neglect and abuſe of* Religion, *the deſtruction our* Univerſities (*the ſprings of all Learning, Divine and Human occaſioned by the fierce and ignorant Separatiſts, ſet up and maintai ed as Rulers both in Church and State, by the prevalency and violen of a rebellious and deſtructive Army, under the command of the L* Fairfax, *and countenanced by the ſeeming Authority of a pact, unfre and over-awed Houſe of Parliament.*

2. *Next, that contrary to the Oath and duty of Allegiance (fro which no power can, nor yet hath pretended to abſolve us) our S veraign Lord the King is by the deſign of the ſaid Army drawn fro His Houſe at* Hampton Court *to the* Iſle of Weight, *and there t the power of* Col. Hammond *and others of the Army, Impriſone and detained from His Parliament; by which act the ſaid* Ham mond, *and all adhering to him, are according to the Votes paſſed i both Houſes,* 16. March 1641. Enemies to the peace of the King dom.

3. *A third, is the violent and unchriſtian ſeparation of the* King His Royal Conſort and Children, *at once depriving His Majeſty the two firſt bleſſings beſtowed on Man.*

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4. *The forcing the* Queen *and* Prince *of* Wales, *to ſeek in a forein Nation, what in their own they could not enjoy,* liberty, ſafety, *and* ſupport.

5. *The exerciſe of* Martial Law *while the Courts of Juſtice are open, and ſitting at* Weſtminſter, *the obſtructing juſtice in our Courts of Judicature, and by the privat Committee of Indemnity perverting judgement, and exerciſing arbitrary power, which is a* ſubverſion *of our ancient Laws, and an introducing of a* tyrannical government, *as was reſolved by both Houſes in the Caſes of the E. of* Strafford, *and Archb. of* Canterbury, *and writ in their bloud.*

6. *Sixtly, the preſent miſchief and future danger to the whole Kingdom, by reaſon that the publique affairs of higheſt concern, are managed and carried on by a few particular men in a private Committee at* Derby-houſe, *wherein (contrary to the ſelf-denying Ordinance) the prime actors are chief Officers of the Army, and have by our unhappy differences, poſſeſt themſelves of the moſt beneficial offices and imployments of the Kingdom; and the other Places of profit and commodity, are by their deſign conferred on others, Members of the Army and Houſes of Parliament, to purchaſe their compliance and Votes in all matters agitated in the Houſes of Parliament: by reaſon whereof all motions* for His Majeſties return to his Parliament *(the firſt ſtep to our deſired Peace) have been either totally rejected, or by them politickly delayed, becauſe Peace would determine both their* power *and* profit.

7. *The* Eſtates of Delinquents, *the* Lands of Biſhops, Deans and Chapters, *(deſigned by ſeveral Ordinances for diſcharge of* publique Debts) *are by the Houſes and power of the Army ſhared and divided amongſt themſelves, while the* publique debts *be unſatisfied, the common Souldier unpayed, the maimed unrelieved, the Widdows and Children of the ſlain unprovided for, and all left burdens to the Commonwealth.*

8. *That the Army conſiſting of mean, ignorant and illiterate men, (only gilt with hypocriſie, divine and civil) under pretence of* tender Conſciences, *(the better to induce and tolerate all Hereſies) have expelled and ſuppreſt all* learned Orthodox Divines, and Church Government, *and crying* Liberty, Liberty, *have ſubjected our Perſons and Eſtates to arbitrary Law and tyranny; and by Rape imbracing the* Legiſlative power, *cuckolds the* body Politick, *giving Laws to the* whole Kingdom, *and yet by* Petitions *and* Remonſtrances

make both Houſes father *(as their own) the* adulterous iſſue.

9. *That this Army aſſuming to themſelves the modelling and ſettlement both of Church and State, at* Windſor *in* April *laſt, in their Council did conſult theſe* 3. *Queſtions.*

Firſt, Whether ſhall we joyn with the Levellers, and new model both Church and State?

Next, Whether with the moderate Party, Treat, and receive the KING with more qualified and limited Power?

Thirdly, Whether Depoſe the KING, Diſ-inherit the PRINCE, Crown the DUKE of YORK, and appoint a Protector?

The firſt was held to promiſe moſt of liberty *and* profit; *but threatned greateſt* danger in effecting, *and* difficulty in continuing.

The ſecond was ſaid to be eaſieſt obtained *and* continued, *becauſe nigheſt to the preſent frame and conſtitution already ſetled; but would bring them* little of profit, *and* leſs of Soveraignty.

The third (like Benjamin, *laſt in birth, but firſt in the Parents affections) was held* not difficult to be acted, *but to be* maintained *for it would require both the expence of much blood and money, and the Kingdome to re-act* York *and* Lancaſter, *under the names of* Wales *and* York.

To this Lieut. Gen. Cromwel *anſwered,* It was the better, for that would neceſſitate the continuance of our Army, which ſecures our perſons, will enforce our reaſons, make juſt our demands, and facilitate their grant; For the bloud, that will flow from the cheap veins of Common Souldiers, whereof *England* hath plenty, and we will not want; For the money, *London* is our bank, and from their Purſes it ſhall drain to our Coffers.

Commiſſary Ireton, *L. Gen.* Cromwel's *Son-in-Law, ſaid,* The work was half done; for we have already Voted *no Addreſſes to be made to the King,* and Him guilty of crimes enough to Depoſe Him, and by Impriſoning His Perſon, have fitted Him for a private life, and by it taught the people that He is ſubject to the diſpoſe of both Houſes of Parliament, whole Ordinances are only powerful by *our Swords,* and therefore our Actions ſhall be legal by their Vote. Further, the *Prince* (ſaid he) is link'd with his Father in crime, and therefore cannot be ſevered in puniſhment, he hath been General in a Weſtern Army, warring

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(as his Father) againſt the Parliament, a crime that as it rendred the Father fit to be Depoſed, ſo doth it the Son unfit to ſucceed in the Government. And that the deſcent of the Crown purged not him, (as it did *Hen.* 7.) let us in the Fathers life time the Crown the *Duke of York*, now in our power, whoſe tender years have preſerved him innocent, and preſents him fitter for protection and our deſign, and ſhould any blame our ſeverity towards the *King* and *Prince*, others will commend our clemency toward the *Duke of York*.

Upon the reſult of this Council, L. Gen. Cromwel *in the Houſe of Commons, tels Mr. Speaker*, That it was time to ſet on foot our great deſign, and that ſuch as ſhould not concur in Votes with us be not continued of us.

The motion being miſ-timed, and divers of his party abſent, it was only wondred at by Maſter Knightly, *and died with the words. The Scene now alters from* Weſtminſter *to* Carisbrook-Caſtle, *and the King that could not be removed by* Votes, *muſt now by* Poyſon, *the Actor Col.* Hammond, *Major* Rolf, *&c. all Members of the Army: yet muſt we by curſed* Exciſe *that inſenſibly devours the poor by inſupportable* Monthly Taxes *that impoveriſh the rich, contrary to Law and our Allegiance, contrary to our Proteſtation and Covenant (inforced upon us) we muſt traiterouſly maintain and pay this Army that traiterouſly contrive and endeavour the depoſal and murder of our Soveraign Lord the King, the ſubverſion of our Proteſtant Church, our Fundamental and known Laws.*

We therefore declare to the World, that God bleſſing us, we will with hazard of our lives and fortunes, disband and diſſipate this Army, the Suppreſſors of the pure Proteſtant Religion, *the impriſoners and would be the Murtherers of their Soveraign Lord the King, and grand Oppreſſors of the Common-wealth; then free from Impriſonment our ſaid Soveraign, and him (God-willing) reſtore to his lawfull* Government, juſt Rights, and Throne in Parliament; *this done, we ſhall joyfully and readily, depoſite our juſtly aſſumed Arms, and on our knees beg what his Majeſty hath often moſt graciouſly offered, and will undoubtedly grant, his moſt Royal and gracious pardon to all his miſ-led Subjects, will return to their Allegiance, and forward to* bring the King back to his own houſe.

We therefore hereby earneſtly deſire and requeſt all loyal and well affected Subjects as well Members of both Houſes of Parliament as

others, to be herein aiding and aſſiſting to us. Firſt, by not recruiting the Forces of the Lord Fairfax. *Next, by withdrawing all aid and aſſiſtance from his Army, by with-holding* Exciſe *and* Monthly Taxes *allotted for their pay and ſupport, and to give us with their prayers ſuch aſſiſtance as their Allegiance and opportunity ſhall adviſe; and we truſt that the God that judgeth rightly will crown our loyal action with happy ſucceſſe, and our ſucceſſe with a glorious peace, which is heartily prayed for, and ſhall (God willing) be reſolutely fought for by us, His Majeſties loyal and faithfull Subjects in* Colcheſter.

A Liſt of the Names of the Members of the Houſe of Commons, Obſerving which are Officers of the Army, contrary to the ſelf-denying Ordinance: Together with ſuch ſums of Money, Offices, and Lands, as they have given to themſelves for ſervice done and to be done, againſt the KING and Kingdom. Corrected and augmented.

Note, *Reader*, that ſuch as have this mark [*] comming immediately before their Names, are Recruiters, illegally elected, by colour of the new Seal; the power of the Army, and voices of the Souldiers, and are unduly returned, and ſerve accordingly.

*The firſt Century.**

1. *William Lenthall*, Speaker of the Houſe of Commons worth 2000l. *per an.* beſides rewards for courteſies; (not to ſay Bribes) Maſter of the Rolls, worth 3000l. *per an.* beſide the ſale of Offices: Chamberlain of *Cheſter* in the Earl of *Darbies* place, And until of late *Chancellor* of the Dutchey of *Lancaſter*, worth 1230l. *per an.* and one of the Commiſſioners of their great Seal, worth 1500l. *per an.* and had 6000l. given him at one time by the Houſe.

2. *Bulſtrode Whitlock*, Commiſſioner of the great Seal, worth 1500l. *per an.* and had 2000l. given him out of Mr. *George Minn's* eſtate.

3. *Edmund Prideaux*, formerly a Commiſſioner for the great Seal,

Seal, worth 1500l. *per an.* Now by Ordinance practices within the Bar, as one of the Kings Councel; worth 500l. *per an.* and is Poſtmaſter for all Inland Letters; worth 100l. every Tueſday night beſide his ſupper, and it was thus got: The Lord *Stanhop*, the Poſtmaſters and Carriers of *England* complained in Parliament, againſt Mr. *Witherings* & others, touching the carrying of Letters, whereupon the benefit of forein Letters were given to the Earl of *Warwick*; worth 5000l. *per an.* and the Inland Letters to Mr. *Prideaux: good Parliament Juſtice.*

4. *Roger Hill*, a Barreſter of the Temple, in no practice, nor of conſiderable eſtate, till this Parliament, hath now from the houſe the Biſhop of *Wincheſters* Mannor of *Taunton Dean*, being the beſt of *England*; and worth 1200l. *per an.* when the eſtates or lives determine.

5. *Humphrey Salway*, the Kings Remembrancer in Mr. *Fanſhaw's* place; worth 200. *per an.*

6. *Francis Rous*, Provoſt of *Eaton*, in Dr. *Stewards* place; worth 100l. *per annum*, and hath got a Colleges Leaſe worth 600l. *per annum.*

7. *John Liſle*, Barreſter of the Temple, Maſter of St. *Croſſes* in Dr. *Lewes* his place, being a place for a Divine; and worth 800l. *per annum.*

8. *Oliver St. John*, by Ordinance both Attorney and Solicitor to the King, worth what he pleaſe to make it; and hath the paſſing of all Pardons upon Commiſſions, worth 40000l.

9. Sir *William Alliſon*, Alderman of *York*, Clerk of the Hamper, worth 1000 *per an.* he hath *Crabb-Caſtle*; worth 600l. *per. an.* ſometimes the Biſhop of *Yorks* in *York-ſhire.*

10. *Thomas Hoile*, Alderman of *York*, Treaſurers Remembrancer in the Exchequer, in Sir *Peter Osburn's* place, worth 1200l. *per annum.*

11. *Thomas Pury* Senior, firſt a Weaver in *Gloceſter*, then an ignorant Country Solicitor, had 3000l. given him, and Mr. *Gerards* place in the Petty-bag, worth 400l. *per an.*

12. *Thomas Pury* Junior, Son to the Elder, Receiver of the Kings Rents in *Gloceſter* and *Wilts*, Clerk of the Peace of *Gloceſter-ſhire*, worth 200l. *per an.* and Captain of Foot and Horſe, the firſt year of this Parliament, ſervant to Mr. *Townſhead*, and Attorney of *Staple Inne*.

13. *William*

13. *William Ellis*, Steward of *Stepney*, worth 200l. *per an.* and ly him ſold to one of the Temple.

14. *Miles Corbet*, at the beginning of the Parliament 3000l. debt for himſelf and his Mother, more then he was worth: now ne of the Regiſters in Chancery, worth 700l. *per an.* beſides Chair-man for ſcandalous Miniſters, worth 1000l. *per an.* And ath money in his purſe.

16. *John Goodwine*, the other Regiſter in Chancery, worth 700l. *r annum.*

16. Sr *Thomas Widdrington*, a Commiſſioner of the great Seal orth 1500l. *per an.*

17. *Edward Biſhe*, Garter Herauld, in Sir *Edward Walkers* place, orth 600l. *per an.*

18. * *Walter Strickland*, Agent in Holland for the two Houſes f Parliament, worth to him 5000l.

19. *Nicholas Love*, Mr. Speakers Chamber-fellow, one of the x Clerks in Chancery, in Mr. *Penruddocks* place; worth 2000l. *r annum.*

20. Sir *Gilbert Gerrard*, much in debt before the Parliament, ay-maſter to the Army, and had 3d. *per* pound allowed, beſides ratuities, worth 60000l. and now Chancellor of the Dutchey, orth 1200l. *per an.*

21. *Gilbert Gerrard*, his ſecond ſon, Clerk of the Dutchey, and r whoſe benefit the Clerk-ſhip of the Aſſize in *Norfolk*, is gran-d to Mr. *Edward Garret* his Cozen by the procurement of Sir *ilbert*, and is worth 500l. *per annum.*

22. *John Selden*, had given him 5000l. of which he received 500 pound.]

23. * *John Bond*, (Son to *Dennis Bond*, a Parliament man) made laſter of Trinity-Hall in *Cambridge*, which Mr. *Selden* refuſed to ccept of.

24. Sir *Benjamin Rudiard*, given him 5000l. *And hath he not eſerved it?*

25. * *Lucas Hodges*, Cuſtomer of *Briſtol.*

26. Sir *John Hipſley*, hath the keeping of three of the Kings arks, *Mary-bone*-Park, that was Mr. *Carewes*, *Hampton*-Park, and *Iuſhy*-Park, and given him 2000l. in Money.

27. Sir *Thomas Walſingham*, the Honour of *Eltham*, that was he Earl of *Dorſets*, the middle-Park and houſe, which was Maſter *Whites*,

Whites, and hath cut down 4000. Timber Trees:

28. *Benjamine Valentine*, given him 5000l.

29. * Sir *Henry Heyman*, given him 5000l.

30. *Denzell Hollis*, given him 5000l.

31. * *Nath. Bacon*, given him 3000l.

32. * *John Steevens*, given him out of the Lord *Aſtley's* Compoſition 1000l.

33. * *Henry Smith*, made one of the ſix Clerks; worth 2000l. *per annum.*

34. *Robert Renolds*, had 2000l. given him; Beſides *Abingdon-Hall*, and the Lands, worth 400l. *per annum.* Hath bought a good penny-worth of Biſhops Lands, hath 20000l. beyond Sea, as he made appear upon his Mariage.

35. Sir *John Clotworthy*, Treaſurer for *Ireland*, and by the Army charged with defrauding of the State of 40000l. which may be one reaſon the King could never get an account of the monies raiſed for the *Iriſh*, though he deſired it.

36. *John Aſhe*, given him out of Mr. *John Coventry's* Compoſition 4000l. out of Sir *Edward Moſely's* 1000l. out of Mr. *Edw. Philip's* 1200l. out of Sir *John Powel's* eſtate 8000l. And (which is worth all this) is the great Chairman at Goldſmiths Hall. *Is not this better then cloathing?*

37. * *John Lenthall*, ſon to the Speaker, made one of the ſix Clerks, worth 2000l. *per annum.*

38. * *Francis Allen*, a poor Goldſmith at St. *Dunſtans* in *Fleet-ſtreet*, now made a Cuſtomer for *London*. In honour of whom clipped moneys are called (*Allens.*)

39. *Giles Green*, the Reciver of *York-ſhire*, being put out of his place, got it for his Son-in-Law, is Chair-man for the Navy, and for Sir *Thomas Daws* his eſtate, and what it was worth to him Sir *Thomas Daws* his Creditors will tell you; for they got nothing.

40. *Francis Pierpoint* hath the Arch-biſhop of *York's* Lands, lying in *Nottingham-ſhire.*

41. *William Pierpoint* hath 7000l. given him, and all the Earl of *Kingſton's* perſonal Eſtate, worth 40000l.

42. * *John Palmer*, Mr. of *All-Souls* in *Oxford*, in Doctor *Shelden's* place, a Divine.

43. * *John Blackeſton*, a poor ſhop-keeper in *New-Caſtle*, was Exe-

Executor to the Executor of Sir *John Fenner*, truſted with 6000l. for Charitable uſes, and was ſued in Chancery to perform the truſt; but got himſelf returned a Burgeſs for *New-Caſtle* by the *Scots* Garriſon there; had 3000l. given him out of one Gentlemans Compoſition, and out of others as much as made it up 12000l. as was made appear at a Committee before Mr. *Sandis* of the Temple Chair-man; hath alſo a Cole-meeter's place worth 200l. *per annum*, and the Biſhop of *Durham*'s Caſtle at *Durham*, and Lands of great value.

44. *Tho. Ceely*, long a Priſoner for debt, helped out by the Parliament, and made Recorder of *Bridgewater*.

45. * *Thomas Moor*, an Officer in the Cuſtom-houſe, and his brother Governor of *Ludlow*.

46. * *Scawine*, given him 2000l.

47. *Iſaac Pennington*, twice broke; once Lieutenant of the Tower; a year and a half Lord Mayor of *London* before his time; had 7000l. given him, and hath ſtore of Biſhops Lands.

48. *Samuel Vaſſel* given him 1000l.

49. *Oliver Cromwel* Lieut. Gen. hath 2500l. *per. an.* given him out of the Marqueſs of *Worceſters* Eſtate, for which 4000l. *per an.* is ſet out at the rate of 2500l.

50. Sir *Wil. Brereton*, Col. Gen. for the *Cheſhire* Forces, hath *Caſhobery*, and other Lands of the L. *Capels* worth 2000l. *per an.* and the Archbiſhops houſe and Lands at *Croiden*, where he hath turned the Chappel into a Kitchin. *A goodly Reformation, and fits with his ſtomack as well as his Religion.*

51. * *Thomas Waite*, Col. Governour of *Burley*, where he thrives ſo well, as he is now buying 500l. *per an.* who before was not able to buy 5l. a year.

52. Sir *Oliver Luke*, decayed in his Eſtate, Col. of Horſe.

53. Sir *Samuel Luke* his Son, Col. and Scout-maſter for the Counties of *Bedford*, &c.

54. * *Thomas Gell*, Lieut. Col. to Sir *John Gell*, made Recorder of *Derby*, in Mr. *Alleſtrie*'s place.

55. *Valentine Walton*, Col. and Governour of *Lin Regis*.

56. * *Richard Norton*, Col. Governour of *Southampton*.

57. * *Edward Harvy*, late a poor Silk-man, now Col. and hath got the Biſhop of *London*'s Houſe and Mannor of *Fulham*.

58. *Edward Roſſiter*, Colonel, and General of all the

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Lincolnſhire Forces, and Governour of *Belvoyr* Caſtle.

59. * Sir *Michael Liveſey*, Col. Sequeſtrator, and Plunder-maſter General of *Kent*.

60. * *Henry Ireton* (ſon in Law to Lieutenant General *Cromwel*) Colonel, and Commiſſary General.

61. * *Richard Salway*, Col. formerly a Grocer's man.

62. * *John Birch*, formerly a Carrier, now a Col.

63. * *Thomas Rainsborough*, a Skipper of *Lin*, Col. Governour of *Woodſtock*, and Vice-Admiral of *England*.

64. * *Robert Black*, Col. Governour of *Taunton*.

65. * *Francis Ruſſel*, Colonel.

66. * *Rowland Wilſon*, Colonel.

67. * *Robert Harley*, Col. ſon to Sir *Robert Harley*.

68. * *Richard Brown*, Major General, and Governour of *Abingdon*.

69. * *Peter Temple*, Captain of a Troop of Horſe.

70. * *John Ven*, Col. Governour of *Windſor*, had 4000l. given him.

71. * *Algernon Sidney*, Governour of *Dover-Caſtle*.

72. * *Richard Ingolsby* Col. Governour of *Oxford*.

73. * *John Hutchinſon*, Col. Governour of *Nottingham*.

74. * Sir *John Palgrave*, Col. at the ſiege of *Newark*.

75. * *Edmond Ludlow*, Governour of

76. * *Cornelius Helland* renteth as much of the Kings grounds for 200l. *per an.* as is worth 1600l. or 1800. *per an.*

77. * *Philip Skippon*, Sergeant-Major-General of the Army, Major-Gen. of *London*, and Governour of *Briſtol*, had 1600l. *per an.* lands of inheritance given him.

78. * *Charls Fleetwood*, Colonel.

79. * *Thomas Weſtrow*, Capt. under Sir *Michael Liveſey*, was nothing worth, until a Captain and a Parliament man; and now hath gotten the Biſhop of *Worceſters* Manor of *Hartlerow*, which proves he hath two good and beneficial offices.

80. *Henry Martyn*, Col. of a Regiment of Horſe, and a Regiment of Whores.

81. *Nathaniel Fiennes*, Col. once Governour of *Briſtol*. *Thereby hangs a Tail.*

82. *Anthony Stapley*, Col. Governour of *Chicheſter*.

83. *Alexander Rigby*, Col. and Governour of *Bolton*.

84. *Charle Pyms*, Captain of a Troop of Horſe.

85. Sir *Arthur Haſlerig*, Col. Governour of *New-caſtle*, and hath the Biſhop of *Durham*'s houſe, Park, and Manor of *Auk-land*, and 6500l. in money given him.

86. *William Jepſon*, Colonel.

87. Sir *Thomas Middleton*, Major-General for *Denbigh*, and five other Counties.

88. *Godfrey Boſwell*, Colonel.

89. The Lord *Gray* of Grooby, (ſon to the E. of *Stamford*) Col. and hath given to him the Queens Manor houſe, Park, and Lands at *Holdenby*, and ther's a great fall of the Woods.

90. Sir *Will. Conſtable*, Col. Governour of *Gloceſter*, he ſold his lands to Sir *Marmaduke Langdale*, for 25000l. and is reſtored to it again by Parliament.

91. Sir *Will. Purefoy*, Col. and Governour of *Coventry*, fought reſolutely againſt the Croſſe in the Market place at *Warwick*, and againſt the Ancient Monuments in the Earls Chappel in St. *Maries* Church there; for which he had 1500l. given him, but when he ſhould have fought with the Enemy, hid himſelf in a Barley-field, for which a Water-man at Temple ſtairs (that had been his ſouldier) refuſed to carry him.

92. Sir *Edward Hungerford*, Col. famous for plundering *Warder Caſtle*, hath the Lands of the Counteſs *Dowager* of *Rutland*, worth 1500l. *per. an.* and ſhe allowed but 500l.

93. *Harbert Morley*, Col. Plunder-maſter of *Surrey*.

94. *John Moor*, Col. of the Guards, and for ſome time had the benefit of Paſſes out of *London*.

95. *Walter Long*, Col. had 5000l. and the Office of Regiſter for 4. years.

96. Sir *Will. Waller*, General, and loſt two Armies, yet a gainer by the employment.

97. *John Allured*, Col.

98. *Michael Oldsworth*, no Col. but Governour of *Pembroke* and *Mountgomery*, and hath a ſhare with his Lord out of Sir *Henry Comptons* Office, worth 3000l. *per an.* and is Keeper of *Windſor Park*.

99. *Tho. Scot*, a Brewers Clerk formerly, hath the Biſhops houſe at *Lambeth*.

100. Maſter *Aſhurſt*, when he went Commiſſioner into *Scot-*

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land,had the Clerk of the Peaces place for *Lancaſhire*,and 1000l. in money given him.

Beſides theſe Offices, Commands,and Gratuities,every Member of the Houſe of Commons,being in all 516.are by their own Order allowed 4l.*per* Week a man; which amounts to 110000l. *per annum*.

By the Ordinance for ſequeſtring Delinquents(1 *April*,1643.) it was declared, *That their Eſtates ſhould go for maintenance of the Publick Affairs*, and ſeveral Ordinances deſigned *Biſhops Lands for pay of* 200000l. *Publick debt*: Yet by this,and the following Centuries, thou ſhalt ſee how both Delinquents Eſtates and Biſhops Lands are by Members of Parliament ſhared amongſt themſelves,whileſt the 200000l.is unpaid,the publick affairs ſupported by unſupportable Taxes, and that *Dutch Devil Exciſe*, that inſenſibly devours the poor, and will impoveriſh the rich.

Theſe are they that with *Hananiah,break the wooden yoke from our necks*, (28.*Jeremiah*) and put on one of Iron; free us from a little *Ship-money* paid thrice in an Age, and impoſe as much at once for a *Monthly Tax*; quit us of the *Monopolies of Tobacco*,and ſet up *Exciſe on Bread and Beer*: The firſt eaſeth the wanton rich man,and the latter grindeth the needy and poor.Yet *theſe are thy Gods O London!* theſe are the Idol Calves the People have ſet up and do worſhip:theſe be the *Molec* to whom ye ſacrifice Sons and Servants by Troops, Regiments, and Armies, to maintain their *ſoveraignty*, *rebellion*, and *profit*.

And that theſe and other their actions may never be queſtioned, they *His Majeſties loyal and obedient ſubjects*, will always *Impriſon their King*,*continue their Army*, *perpetuate their Parliament*, *and intail their Member-ſhips*(as the Prieſthood on *Levi upon confiding Families*,*to furniſh them with Votes*, as Mr. *Gilbert Gerrard* and his 2.Sons,*Brampton Guidon* and his 2.Sons,Sir *Robert Harley* and his 2.Sons,3.*Fines*,2.*Aſhes*,4.*Stephens*,4.*Pelhams*,4.*Herberts*, 4.*Temples*;it were endleſſe to name the Father and the Son, Brother and Brother that fils the Houſe; they come in couples more then unclean Beaſts to the Ark: 2.*Vanes*, 2.*Puries*, 2.*Chaloners*, 2.*Bacons*, 2.*Pierpoints*, 2.*Bonds*, 2.*Onſlowes*, 1.*Lenthals*,*&c.* And that our *Eccleſiaſticks* may comply with our *Temporal Governors*, the Houſes aboliſh(as ſuperſtitious becauſe Legal) the *Convocati-*

on of learned Divines, (regularly ſummoned by the *King's Writ* and duly *elected by the Clergy*) and the Houſe of Commons *nominates an aſſembly of gifted Divines* (indeed wicked *Simons*) that ſlander the Godly *Onias*, (2. *Mac.* 4.) to out him of *his Prieſts place*; ſo that at this day there is not one *Aſſembly-man* but is illegally thruſt into anothers *Benefice*, a *Catalogue* of whoſe names and Preferments expect ſhortly, and with them a view of the *Militia* and *Common-Council-men* of *London*, obſerving what Places, Offices, and ſalaries they have from the Houſes of Parliament, and then thou wilt know the reaſons of their Votes and Actions in the City.

You ſee in part what the Grandees have done for themſelves. Conſider after 8. years ſitting what they have done for the people, when amongſt all their Propoſitions to the King *for Peace*, hardly any one reſpects the *good of the People*, but their own *grandeur and profit*. They demand a *Militia* to keep up this Army upon us, which is not the Kings to give. No King of *England* ever governed by a ſtanding Army. They demand likewiſe power to *raiſe what Forces for Land and Sea, conſiſting of what Perſons they pleaſe to preſſe; and to raiſe what money to maintain them out of all mens Eſtates*, to be laid on at their diſcretion, and as partially as they pleaſe, ſo that they may favour one Faction, and oppreſs the other at pleaſure; for, ſo much the Act for the *Militia* as it is penned imports: and this is more then his Majeſty hath power to grant. The late *Militia* of Trained Bands, and the *Poſſe Comitatus* under *Sheriffs* (being the only legal *Militia* of *England*) will not ſerve their turns. It hath always been the Policy of *England*, to truſt the *Militia* and *ſword* in one hand (*viz. the* KINGS) and the Purſe that ſhould *pay them* in another (*viz. the* PARLIAMENTS) whereby *one power* might bound and limit the *other*. For to put the Sword and the Purſe into one hand, is to make that hand abſolute Maſter of our Perſons and Eſtates, and ſo reduce us to abſolute ſlavery under the Arbitrary power of one man, without appeal or redreſſe. *Awake and look about you good People.*

THE END.

AN

APPENDIX

TO

The Hiſtory of Independency,

BEING

A brief deſcription of ſome few of ARGYLE's proceedings, before and ſince he joyned in Confederacy with the *Independent Junto in* ENGLAND:

With a Parallel betwixt him and Cromwell,

AND

A Caveat to all his ſeduced Adherents.

CICERO.

Totius injuſtitiæ nulla capitallor eſt quam eorum, qui cum maximè fallunt, id tamen agunt, ut viri boni eſſe videantur.

LONDON,
Printed for *R. Royſton*, at the Angel in *Ivie-lane*. 1661.

AN APPENDIX

TO

The Hiſtory of Independency.

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A brief deſcription of ſome few of *Argyle's* proceedings, before and ſince he joyned in confederacy with the *Independent Junto* in *ENGLAND:*

With a Parallel betwixt him and Cromwell;

AND

A Caveat to all his ſeduced Adherents.

THe *Covenant* being at the firſt taking, held to be the true Touchſtone whereby the Religious Royal Subjects were diſcerned from all thoſe who were unwilling to ſubmit to the yoke of Chriſt in matters of Religion, or to the juſt and lawfull Government of our dread Soveraign his Vicegerent; now a ſubtil generation of men (or rather Vipers) in both Kingdomes, who did take the Covenant, and did magnifie it ſo long as it could ſerve them for a Ladder to mount to their intended Greatneſs, being now at the top, have kick'd away the Ladder, and ſtanding (as it were) on the pinacle, look with diſdain on all their old friends, who out of the integrity of their hearts, did for the good of Religion, and His Majeſties honour, joyn in that ſolemn engagement, it being far

far from their thoughts that their modeſt and humble deſires for the Reformation of ſome abuſes both in Church and State (all which, His Majeſty in the reſpective Kingdoms did (or was willing to) cure) ſhould have ſtruck ſo deep as to endeavour the overthrow of all lawfull Governments, Civil and Eccleſiaſtical; bringing, inſtead of a promiſed Reformation in Religion, a curſed Toleration of the moſt damnable Sects, Errors, and Hereſies that ever Hell did ſend forth; and for the Civil State, inſtead of a well-ſetled Monarchy, a moſt confuſed tyrannical Anarchy, quite contrary to the words and meaning of the Covenant, and the honeſt intentions of all true-hearted, Religious and loyal Subjects in the three Kingdoms, who did take that ſolemn Covenant with a purpoſe to keep it, and of very many thouſands who did never take the Covenant, (yet very good Proteſtants and loyal Subjects) being more affrighted with the compulſory way of enforcing it on all, then unſatisfied in the matter, being introduced in a legal way, none of theſe deſerving the name of Malignants, or to be ſo cruelly dealt with either for their perſons or Eſtates, as hath been too too common in both Kingdoms; but the Covenant it ſelf, doth beſt decypher who are Incendiaries, Malignants, and evil Inſtruments, *viz.* thoſe who hinder the reformation of Religion, who divide the King from His People, or one Kingdom from another, or make any Faction or Parties amongſt the people, contrary to the League and Covenant: Yet by our new tenets, none muſt be called Malignants but thoſe that have loyal hearts towards their Soveraign, though otherwiſe never ſo Religious, and all of them (with Maſter *Martin*) would gladly make the *Covenant an old Almanack*, that they might be rid of that tie of *preſerving His Majeſties Perſon and Authority, in the preſervation and defence of the true Religion and Liberties of the Kingdoms, that the world may bear witneſs with their conſciences of their loyalties, and that they have no thoughts or intentions to diminiſh His Majeſties juſt Power and Greatneſſe.*

As the *Hiſtory of Independency* hath diſcovered the practices of the *Independent Junto*, ſo this *Appendix* will diſcover their chief *Confederate* in *Scotland*, namely the Marqueſs of *Argyle*, whoſe dealing with his Kindred, Friends, and Confederates mentioned in the following diſcourſe, will be a warning to all religious Proteſtants, how they truſt ſuch an Apoſtate Covenanter, whoſe ambition

bition and avarice hath ruined the KING, Church and State, or three flouriſhing Kingdoms. Although it may ſeem a paradox to many, I dare boldly aver, that *Argile* and his Faction in *Scotland*, have been, and are the chief Malignants, Incendiaries, and evil Inſtruments, who have been the Ruiners of theſe three flouriſhing Kingdoms, and the Authors of the blood ſhed in all of them as I hope by this following Diſcourſe will be made appear to every impartial and unprejudicate Reader, who hath, or may have the certain knowledge of every particular when time ſhall ſerve. This *Argile*'s Father, after the marriage of his *Engliſh* Lady, having turned *Roman* Catholique, and this his only Son by his firſt Lady being carefully educated by the Earl of *Morton*, by whoſe means he obtained the poſſeſſion of his Fathers whole Eſtate for a ſmal Penſion, and by his Majeſties ſpecial favour (for outquitting his pretended Title of *Juſtice Generall of the Kingdom of Scotland*) did obtain an Heritable Juſticiary of *Argile*, *Lorn*, *Kintyre*, and many of the Weſtern Iſles; which power he did execute with that cruelty, that he diſguſted all the Iſlanders, and Highlands of *Scotland*, who were never ſo tyrannized over by any of their Kings, till his Fathers death (ſtill fearing his return) he kept himſelf ſomewhat moderate for the engaging for the Covenant, or keeping company ſometimes with thoſe that were againſt it; but his Father being dead, finding himſelf idolized by thoſe who had taken the managing of all affairs into their hands, and that by his power and policy he could prevail with them in any thing, to indear himſelf the more to that party, he did ſeem exceeding zealous for the Covenant, and pretending great fears from *Ireland*, (which the then Lord Deputy *Strafford* his Greatneſſe, and known averſeneſſe from the Covenant, did make the more eaſily to be believed) whereas the true cauſe of his fears was for the loſs of *Kintyre*, whereof he coſened his Brother long before his death) *Iſla*, and divers conſiderable Iſles which were and ought to be the poſſeſſions of the *Macdonalds*, and his indiſcreet provoking of *Strafford*, who in revenge of him did uſe very hardly all the *Scots* in *Ireland* who would not renounce the National Covenant of *Scotland*: he diſ-arming them, did Arm and Train many *Iriſh*, who (after his Head was off) ſhed ſo much blood in *Ireland*, and upon pretence of diverſe of the *Macdonalds* (*Argile*'s own Tenants for the time) were acceſſary to the

Plot, fearing his Judiciary power where he was both Judge and Party, they were inforced to flie to *Ireland* till their peace ſhould be made; to prevent which, he ſent their Wives and Children after them, took poſſeſſion of all their moveables, and placed other Tenants in their Room; but being grieved that *Culkettough* and his Sons, who had goodly Poſſeſſions, were not gone with the reſt, he cauſed cite them before the Council, as acceſſary to an Invaſion to be made by *Antrim* and ſome of their friends; which citation (as legal men and not guilty in the leaſt) they did obey, and after ſome dayes ſtay in *Edinburgh* (taking their walk daily before *Argile's* door) they did humbly intreat his Secretary to plead for them, that they might have a ſpeedy hearing, ſince they were weary of their attendance; which the Secretary acquainting the Lord *Argile*, returned them this anſwer, That ſince they had teſtified their obedience by their appearance, they might go home and behave themſelves civilly, not medling with thei Rebellious friends, (as he was pleaſed to term them) and be ready upon any new citation, they ſhould be excuſed for that time: they did humbly thank his Lordſhip, and his Secretary, for this courteſie, and did preſently depart from *Edinburgh* towards their home; whereof my Lord (by his Spies upon them) having notice, did immediately convene the Council, and whereas in many dayes before (during their ſtay in Town) they could not be heard, that day they were firſt Called, and upon their not Anſwering, my Lord aggravating their Accuſation by their departure, occaſioned by his own and his Secretaries contriving, procures a Warrant to make them priſoners till they ſhould be Tried, and to ſeize upon their Eſtates; which out of his zeal to the Covenant (God knows) he did carefully perform, and made *Culkettough* and his twoSonsPriſoners before they were half way at home; which *Alexander Macdonald* (afterwards Sir *Alexander Macdonald*) being fled to *Ireland* (having no valuable poſſeſſion to look to at home) did aſſociate himſelf with the *Iriſh* in the beginning of their Rebellion; but ſo ſoon as the *Scots* Army came over, he did apply himſelf to them, aſſuring them that he would do them faithfull ſervice againſt the *Iriſh Rebels*, if they would releaſe his old Father and his two Brethren, unjuſtly detained priſoners, or bring them to legal Trial, whereof having aſſurance given him, he brought with him two hundred gallant men

men of his friends, and did more execution upon the *Iriſh*, than half of the *Scots* Army, their horſe being not able to follow through Bogs, and their Foot not ſo ſwift as the *Iriſh*, and did n one morning bring in ſix or ſeven thouſand Cowes to the *Scots* Camp (the like booty they did never take at any one time before or ſince) for which good ſervice, the General did of new ingage for his Father and Brethrens releaſment; but when the Committee of Eſtates had conſented, *Argile* did reverſe all, and fruſtrate the Generals promiſe: which *Alexander Macdonald* perceiving, ſaid no more (but well) I will yet cauſe my faithfull ſervice procure my fathers inlargement, and did continue without pay, or hope of pay, ſaving a very ſpare allowance of quarters, until *Argile* ſent over and cauſed him to be diſcharged of all quarters, to the grief of all the *Scots* Officers, who did well know what faithfull ſervice he had done, and was able to do them: ſo that meer neceſſity did inforce him to make his peace with the *Iriſh*, by whoſe help he did come over into *Scotland*, meerly to be revenged on *Argile*, and to relieve his Father, hoping the Eſtates of *Scotland*, would not blame him for ſuing the performance of what their General had promiſed unto him, intending no more til *Montroſſe* out of his deſire to be revenged on *Argile* did enforce *Alexander Macdonald* to joyn his Majeſties Intereſt, as *Montroſſe* pretended, with the ſaid *Macdonald*, hoping he would find (as indeed he did) a great many diſcontented perſons to joyn with them, all which, or the moſt conſiderable, were parties and perſons wronged, oppreſſed, and ruined by *Argile*, as chiefly (beſides the foremenrioned Iſlanders and theſe *Highlands* that were under his lath) the *Athol* men twice or thrice plundered by him; *Montroſſe* himſelf provoked by many well-known injuries, which no noble heart could endure, as the death of Mr. *James Stewart* who was no Traitor either to King or Country ſave only to *Argile*: The Earl of *Airly* having his eſtate plundered and his Houſe thrown down in revenge of an antient quarrel amongſt their Predeceſſors, for the Earl of *Airly* having ſome Lands in the Bray of *Angus*, out of which *Argile's* men did many times drive Heards of Cattle, Sheep, and other Beaſts, for which the *Ogilbee* could have no remedy, theſe Thieves being protected by the Earl of *Argile*, by advice of his Lawyers he did Charge the Earl of *Argile*, that he ſhould find ſurety not to

maintain or protect ſuch Out-lawes ; but before he could obtain the ſame, he was obliged (according to the cuſtome of *Scotland*) to give his Oath, he did fear bodily harm from *Argile*, which he was unwilling to do ; allegin:, it were only a Beaſtly harm that he did fear, for if he would not protect thoſe that did ſteal his poor mens Beaſts, he was nothing afraid of his body. This tart Anſwer, after an age muſt (under colour of ſervice to the State) be ſo revenged.

The *Gourdons*, divers of whom he betrayed under truſt, and under pretence of ſecuring his Nieces Portions that he was ingaged for, poſſeſſing himſelf of *Badinoch* and *Lochabar*, and plundering friends and foes indifferently in his marches too and fro, and the inexhauſtible treaſure of the *Scots* Exchequer muſt allow him eleven or twelve thouſand pound ſterlin for every Voyage : whereas his Breechleſſe Souldiery were well content with their Beef and Bannocks, and ſuch convenient plunder as the Country could afford : theſe (as I conceive) were the moſt conſiderable Forces *Montroſſe* ever had, unleſſe ſome that were through fear, compelled to yield for the time, ſo that the bloud-ſhed in *Scotland* by *Montroſſe* and *Macdonald* do properly fall upon *Argiles* ſcore, no other under Heaven having occaſioned both their out-breakings; and all their partakers, who did ſee no other way to be revenged on him (that had made himſelf Maſter of all the Eſtate, having made *Argile's* quarrel their own) than by heaving at all under the ſpecious pretext of the Kings intereſt: which if God in mercy had not prevented, they had almoſt effectuate through *Argiles* miſgovernment, wherein it is to be remarked, that when he was overthrown by *Montroſſe* in *Lochaber* the ſecond of *February*, 1645. many of his friends being killed, and others taken, he who would not releaſe *Culkettough* for his Sons good ſervice, nor the Generals ingagement, or the Committee of Eſtates deſire (you muſt not ſpeak of Command) for Maſter *James Hamilton*, a faithfull Miniſter of the Goſpel, who found more kindneſſe from *Culkettough* than from this Canibal Covenanter, is now content to releaſe all to get a poor Company of his Country-men, leaving the godly Miniſter in cruel bondage, whom *Culkettough* did releaſe upon his Paroll and promiſe to ſend him a Boy that was forgot behind.

This religious Covenanter, out of his pious care for the education

tion of his Siſter, in the true Religion as he pretended, did by His Majeſties ſpecial favour overthrow the laſt will and Teſtament of his mother-in-law, by getting himſelf made Adminiſtrator in the room of him who was nominated therein, whereby he got the Gentlewoman his Siſters whole patrimony into his hands; but before he could prevail in this, His Majeſty did take ſpecial care that ſufficient Surety ſhould be given that the Will of the Dead ſhould be truly performed by payment of their reſpective portions when they were Married, and ſufficient maintenance until they were Married: the Elder whoſe Portion was Five thouſand pound ſterlin, is preſently ſent for, and one thouſand pound or thereby given to a Gentleman for his ſecond Wife, the reſt (there being a clauſe *that if any of them ſhould enter into Nunneries they ſhould only have* 300l. *ſterlin for all*) being kept ſo ſcarce of their due maintenance (the Gentleman who was ſurety, having advanced of his own above 1000l. whereof he is not as yet repaid) were ſeduced to go to Monaſteries all ſave one, who is now ready to enter through his neglect; ſo this 12000l. of his Siſters Portions (with the ruine of their Souls to boot) is a part of *Argile's* wel-made purchaſe.

The great care taken by the Earl of *Morton* for *Argile's* education and preſervation both of his life from the crafty deſigns of a Step-mother, and recovery of his almoſt ruined Eſtate, was ſo well requited, that (notwithſtanding he hath the Earl of *Morton's* Daughter in his bed) in open Parliament he ſpake what became him not both of that noble Lords Perſon and Eſtate (only as he pretended, out of his zeal to the welfare of the Kingdom) whereas the truth is, it was meerly out of his ambition to have that Honourable place conferred upon himſelf, which was intended by his Majeſty upon that noble Lord; but finding His Majeſty not inclinable that way, the next aſſault was, for one of his own name, a man truly well deſerving (for to ſay, better deſerving than himſelf, is no great praiſe) and if, his two much favouring of him do not ſtain his reputation, worthy to be beloved.

Thus having inordy viewed *Argile's* religious carriage towards his Vaſſals and Tenants, Parents, Friends, and Allyes, Brother and Siſters, Neighbours, and fellow-Patriots, let us take a ſhort view of his Loyal carriage towards his Soveraign, and his

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due obſervation of the Solemn League and Covenant with his covenanted Brethren of *England*, and then let the impartial reader judge whether he be not ſuch as is affirmed in the propoſition, the greateſt incendiary in the three Kingdoms.

It cannot be denied, but His Majeſty (as is mentioned before) did confer many great and Princely favours upon him at the Earl of *Morton's* deſire when he was Lord of *Lorn*, ſuch whereof as required confirmation were approved and ratified in Parliament, His Majeſty being preſent, *anno* 1641. with the addition of the honour and title of Marqueſſe, and a full Penſion well paid ever ſince whoever want, together with (not only an *Act of oblivion*, but) approbation of all his tyrannical proceedings againſt the *Athol* men, the Earl of *Aireley*, and others, though not particularly mentioned, yet as done in obedience of Orders from the Committee of eſtates (obtained by his own procurement) therefore to be no further queſtioned.

The firſt endeavour in requital of theſe and many other Royal favours was the entring in conſpiracy with certain his Confederates (whom I forbear to name) to transform the Kingdom of *Scotland* into a free State like the Eſtates of *Holland*, and becauſe ſome truly noble Lords did abhor ſuch a diſloyal motion (after ſo many Acts of favour, witneſſing to all Poſterity his Royal bounty both to Church and State, whereof theſe chief Conſpirators taſted not a little) he did at that time forbear not ſo much to proſecute his deſign, as to conceal their Counſel from all theſe that had thoughts of Loyalty, though moſt faithfull to the true Religion and their Countrey, according to the Covenant. The *Iriſh Rebellion* breaking out, fearing his own ſtake if *Antrim* ſhould grow ſtrong, he procured one Regiment for himſelf, another for his Cozen *Lawers*, a third with the place of *L. General* for that moſt ungrate Gentleman the Earl of *Lothian* (who was married to his neece and one of his Confidents, who was once heard ſay, *That the 3 Kingdoms would never have peace ſo long as King* CHARLES *his head was on his ſhoulders*: and yet it is only King CHARLES his favour that hath made him and Father exceed the eſtate of Gentlemen) with many other places to divers of their friends, intending a full Conqueſt of *Ireland* (at leaſt) to baniſh *Antrim* and the *Mackdonalds* from thence, as he and his Predeceſſors had done many of them

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out of *Scotland*, taking a gift from the Parliament of *England* of ſome of the Earl of *Antrims* Lands in *Ireland*, eſpecially the Iſland of *Rachera*; to the which, one of the forementioned Regiments was ſent, and kept there a long time, ſo that all the three Kingdomes muſt be at the charge to maintain Armies and Garriſonsfor inlarging the Dominions of *Argile*. His next project, having begun his Confederacy in *England*, by ſhewing them the wayes to get money by Taxes, and Exciſe, 10. and 20. part, bringing in of Plate, voluntary Contributions, borrowing on the Publique Faith, tyrannizing over the Perſons and Eſtates of all that durſt be ſo bold as ſpeak againſt the illegal Orders, and all this Money in both Kingdoms to be imployed againſt His Majeſtie, whom their renewed Covenant did oblige them to defend, having good opportunity to traffique betwixt under the pretence of Commiſſioners for the Kingdom of *Scotland*, the reſt for the moſt part either his Creatures or Confidents; ſo that he ruled all the Council at home and abroad, ſending *Lothian* to *France* to have them brought in a *Confederacy*, abuſing his Majeſty by procuring His Commiſſion for Treating concerning the keeping and preſervation of that ancient League betwixt *France* and *Scotland* (begun in *Charles the great's time*, with *Achaius* King of *Scotland*) but the effect of the Treaty was to bring money to *Argile*, who, at that time when the Kingdom ſtood in much need of *men*, ſold five thouſand to the *French* to be under his Brother, (from whom he had, as formerly the Eſtate, ſo now the title of *Kintire*, and he muſt be Earl of *Irwin*, all the Intereſt he had there being by his *quondum Tutor* (now Slave) *Barcley*, his being ſometime Provoſt thereof) and the Chancellors Brother *Lundie ſur France* and *Irwin* had bad peny worths, although *Argile* made a good market for the men, like money truſted in a Juglers hand, were gone with a puff: thus you ſee how much both KING and Kingdome were obliged to him in this particular. But to come to the main point of the Conſpiracy, finding *Scotland* (although he had all the power of the Perſons and Eſtates in his hand) not pliable as yet to caſt off Monarchy, and imbrace Ariſtocracy, of whom (as affairs ſtood) none could be the chief Ruler but himſelf, he did imploy the Zealots of the Clergy to aſperſe thoſe who did oppoſe him (eſpecially ſome moſt faithfull and religious Noble men) as if they were fallen from their firſt love, turn ene-

mies

mies to the cauſe of Chriſt, had with *Demas* imbraced this preſent world, and that *Argile* was the only man that ſtood in the gap; threatning out of their Pulpits all ſuch as would think or ſpeak evil of him; but when the State-juglers with their Clergy-Impoſtors, could neither ſhake the Loyalty of the one, who were really for the Covenant and Monarchical Government, nor plaiſter over the many fraudulent cheats of the Argathelian party, now become a moſt odious and heavy burthen to the Kingdom, paraſed and ruined from the one end to the other by him and his Armies on the one part, and *Montroſſe* and his Confederates on he other part, (*Argyle*, of the two, being the Kingdoms moſt cruel Enemy) was ſimulat humiliation, having the Church-men till his friends, did reconcile himſelf to the other noble and loyal Patriots, by ſuffering them to take ſome ſhare of the Government, that the (by him) diſ-joynted State might by them be ſet in a right frame again, with a reſolution, when all things were right, to uſurp his wonted Authority, and follow his old trade of Dethroning his Majeſty, and cantonizing the Kingdome; but things falling out ſo, that one day at *Naſeby*, quelling the KINGS party in *England*; and one day at *Phillipſhaugh*, almoſt quieting *Scotland*; finding the Presbyterians in *England* inclinable to peace, and deſirous of his Majeſties re-eſtabliſhment according to the Covenant, he leaves them, and joyns Counſell with *Say*, *Perpoint*, *Cromwell*, and others of the Inpedendent Junto, doing them that Maſter piece of good ſervice. Firſt under colour of Loyalty and friendſhip to prevail with His Majeſty to return to the *Scots Army* then at *Newark*, *Cromwel* contributing a Paſſe to *Hudſon*, and *Aſtburnham* with a ſlack Guard, that His Majeſty might the more freely eſcape. Secondly, after many learned and loyal Speeches *for Monarchy*, the Kingdome of *Scotlands* intereſt in the perſon of the KING, and many Vows and Proteſtations both in private and publick, not to abandon His Majeſty without his own conſent, contrary to all which, he and his Party did overthrow the Loyalty of that once famous Gentleman, Lieuten. General *David Leſlie* (who had deeply ſworn, and ingaged himſelf to His Majeſty, to convoy him ſafely into *Scotland*, or then to ſee His Majeſty peaceably ſetled in his throne in *England*) forcing him, and he perſwading and prevailing with the Souldiers to march away, leaving his Majeſty behind little better than (but

now

now an aſſured) Priſoner, and the whole power of the Sword in the hands of the Independents and Sectaries, to the ruine and overthrow of their Presbyterian friends in the City and Parliament, as the *Hiſtory of Independency* doth Witneſs, encouraging the Independent Party (by their Letters) to proceed in their dethroning Votes, and accuſation of his Majeſty, aſſuring them that no party from *Scotland* ſhall be able to hinder them in their proceedings; but finding the body of the Parliament, and the Kingdom of *Scotland* to be ſenſible of the ruine of Religion and Monarchical Government if the Sectaries prevail, and their reſolution to adhere to their Covenant, and re-eſtabliſhing his Majeſty, being in fear their party ſhall not be able any longer to delude the Kingdom, or hinder the Army deſigned to come in for the vindication of the many breaches of the Solemn League and Covenant, and the ſeveral Treaties betwixt the Kingdoms, they have ſolicited the Armies of Sectaries to come to their aſſiſtance, ſome of their Miniſters profeſſing in their Letters, *They have no hope of ſafety, unleſs it be by means of this* (rebellious) *Army now in England*, thereby endeavouring to make *Scotland* the ſeat of War.

And if theſe troubles in *Wales*, and cutting Petitions from *Eſſex*, *Kent*, *Surry*, and *Suſſex*, had not hindered them, their reſolution was to have ſent *Cromwel* thither, it being debated before he went to *Wales*, which of the two he ſhould take in hand; but the conſtant aſſurance they had from *Argile*, and thoſe accurſed Clergy-men that were bribed by *Stephen Marſhal*, *That there was no fear of danger from* Scotland *in haſt*, made them haſten to finiſh the enſlaving of *England* and *Wales*, and then they reſolve to conquer *Scotland*; which they conceive may be quickly done, having *Argile* and his Faction ſo firm to them, that although he would, neither he nor his Partners dare revolt from them, having received ſo much of their money, leſt they ſhould reveal more then he deſires ſhould be known; and as the Independents ſent their Emiſſaries through all Counties and Corporations, to get hands to Petitions *for thanks to the Houſe for their dethroning Votes*, ſo *Argile* and *Marſhal*'s Hirelings have been very active to get hands to Petitions in many Shires, Corporations, and Provincial Aſſemblies, for *hindering the engagement againſt the* rebellious *Army of Sectaries: and the Independent Junto their Confe-*

ates: whereas there is no intention againſt the Parliament, or Body of *England*; but *to comply with all religious honeſt-hearted, and loyal Subjects, who deſire that His Majeſty may be enlarged and brought to a Perſonal Treatie, whereby Peace and truth may be ſetled in the three Kingdoms*; their chief pretences being, *that Religion is not ſecured:* the Religion now eſtabliſhed in *Scotland* was by Act of Parliament (His Majeſty preſent) ſo well ſecured, as the moſt religious Church-men, and moſt skilfull Lawyers could deviſe; if you have got *New lights*, and deſire any other Religion to be eſtabliſhed, vindicate His Majeſties Honour, and put up your Petitions to Him in an orderly way, and He may poſſibly vindicate you from the Yoke of Slavery which ſome of your tyrannizing Clergy deſire to put upon you; The next is a wonderful increaſe of your fears by the great *Truſts* put upon ſuch perſons, of whom you have juſt cauſe of jealouſie to this Kingdom, and the Cauſe of God; though you do not ſpeak plain, your Pamphletters do, and your Pulpit-Incendiaries to ſome purpoſe; you mean Duke *Hamilton* now Generall of the Forces, deſigned by the Kingdom and Parliament of *Scotland for vindicating the Honour of the Nation, and revenging His Majeſties Captivity upon that perfidious rebellious Army of Sectaries, and their adherents:* what he did before the ſubſcribing of the Covenant ought not to be objected, (his moderation even then deſerving the honour and love of his Country) and ſince his ſubſcribing, malice it ſelf cannot tax him that he hath done any thing contrary to his Covenant or his Country; what *Montroſſe* doth aſperſe him with, that *he hindred his intended invaſion of* Scotland, and ſo conſequently His Majeſties Service; none of thoſe who ſtand for the Covenant who did think *Montroſſe* an enemy to the Covenant, and to his Country, ought to object this to my Lord Duke; whoſe tender care of the ſafety and welfare of his Country may evidently appear even in the relation of one of his moſt deadly enemies; and whereas his good advice for moderation was miſconſtrued by *Argile* and his prevailing Faction on the one ſide, as if he had done things contrary to the Covenant; and by *Montroſſe* and his Confederates at Court on the other ſide, as if he had connived or been acceſſary to thoſe violent courſes againſt his Majeſty, which (God knows) he was not able at that time to hinder; his intentions being *ſtill for Peace*, and ſuch a Peace as might conſiſt with the

the *ſafety of Religion*, and *His Majeſties honour*; whereof he was very hopeful, being confident of His Majeſties propenſneſſe to Peace, and the intereſt he had in His Majeſties favour: but the watchfull malice of his enemies, and the enemies of Peace, did cunningly prevent his going about ſo good a work, making him Priſoner without His Majeſties knowledge, hindring by all means *a meeting betwixt them*, knowing that his Majeſties juſtice, and the Dukes innocency, would quickly make their calumnies to vaniſh: what a ſad impriſonment did he indure, much heightned by the then impoſſibility of clearing his innocency to his Soveraign (the loſſe of whoſe favour would be more bitter, then a thouſand deaths) and his real intentions for the good of his Country, for whoſe cauſe he hazarded and ſuffered ſo much miſery and impriſonment? Yet this noble Dukes implacable and malicious enemies do further aſperſe him as a man of no Religion, a meer Politician, and one that ſeeketh the ruine of his Soveraign, by the aſpiring to the Crown of *Scotland*: It would trouble the beſt Politician, and the moſt Religious upon earth, in theſe diſtracting and diſtracted times, to diſtinguiſh rightly betwixt *the duty we owe to Religion*, and *the duty we owe to our Prince*, ſuppoſing them enemies; but the falſity of this ſuppoſition, (which hath miſled many thouſands, and been the ground of all our miſeries) being evident to the Duke, who had the honour to be educated and intimate with his Majeſty from his youth, knowing his Majeſty to be a *lover and honourer of the true Proteſtant Religion, a lover of juſtice and mercy, and a practiſer of all Chriſtian and moral virtues, and with a moſt munificent hand a royal Benefactor to himſelf and his Family*. It may be asked, if it had been either piety or policy in the Duke to have kick'd off ſo loving and ſo liberal a Lord and Maſter, (although he had not been his Soveraign) or to have ingaged againſt his Country with any Party that for their own ends more then the good of their Soveraigns, were diſturbers of all moderate Counſels, ſo long as he had any hopes of Peace; eſpecially ſeeing ſo many ſad preſidents in both Kingdoms, where many powerfull Subjects, lovers of the true Proteſtant Religion, not joyning prudence with their loyalty and innocence, have cruſh'd them under the Load, & nothing eaſeth his Majeſties burthen, but rather increaſeth the ſame; all their wealth and power being now made inſtrumental to en-

ſlave both KING and Kingdoms: the Duke's prudence having vindicated him from the ruine intended againſt him by his enemies, and reſerved him (through Gods bleſſing) to vindicate his Loyalty by re-enthroning his Majeſty ſo ſoon as God hath enabled him with any power to do it.* As for his Religion, it is known he is neither Popiſhly affected, nor a Sectary; but who hath ever been a profeſſor of the true Proteſtant Religion, a loſer and Patron of all Godly men and honeſt Miniſters, even in the time of *Epiſcopacy*, when few or none but himſelf durſt appear for them; if his judgement had not been overſwayed in ſome Star-Chamber ſentences; before he had that wiſdom and experience which he now hath, and long before he did take the Covenant; if he had been ambitious of popular applauſe, he had been more renown'd for his Religion, then for his Princes royall bounty; but wiſhing rather to be religious, then ſeem ſo, his favours were given in ſecret to many godly Miniſters, and his Majeſties honour and good chiefly aimed at in the beſtowing of them: and that you may take a ſhort view of his proceedings, as you have done of *Argile's*, by comparing them, you will find who doth deſerve the Title of *the moſt Religious*.

Duke Hamilton *ſuffered his worthy Mother to enjoy, beſides her own Joynture, all his Eſtate, (whereby, indeed he loſt nothing, ſhe improving it much to his advantage) hath helpt his Brother to a great eſtate, with Titles and Places of Honour and profit, ſuitable to his birth and worth; his Siſters, and now ſome of his Neices matched in the Nobleſt and beſt Families of the Kingdom.*

1. Whereas *Argile* did in his Fathers life time bring him to a Penſion, outed his Brother of his Eſtate, *Kintyre*, and ruined his Siſters by cheating them of their portions, and ſo enforcing them to go to Cloyſters.

The Duke had no quarrel with any ſave Montroſſe; *the ground you heard, for croſſing his firſt intention for* the Invaſion of *Scotland, to prevent the miſery and*

2. *Argile*, for private quarrels betwixt him and *Montroſſe*, *Culkettough*, and the *Athol* men, the Earl of *Airely*, and other, hath drawn much miſery and bloud-

bloudſhed upon the Kingdom, whom he enforced to eſpouſe his quarrels.

3. *Argile* had enrich'd his Country with the ſpoyls of the Kingdom, and himſelf with the great treaſure beſtowed on him both by *Scotland* and *England*, which is well ſecured without the reach of an Impeachment.

4. *Argile* hath contrary to his Covenant, Duty and Allegiance, conſpired to extirpate Monarchical Government, to introduce forein forces of Sectaries, to the utter overthrow of the eſtabliſhed Religion.

5. *Argile* hath overthrown all Laws, tyrannizing over the Lives, Liberties, and Eſtates of the Subjects.

6. *Argile* oppoſeth all ways of the Peace, & ſettlement of the three Kingdoms, His Majeſties deliverance, and being brought to a Perſonal Treaty, leſt the power ſhould be taken out of his and his Confederates hands, whereby they oppreſs and ruine both King and Subject.

7. Laſtly, *Argile* hath betrayed his old friends the *Presbyterian party* in both Kingdoms, eſpecially the *Presbyterians* in the Parliament of *England* and City of *London*, not only ſuffering them to be made a prey to their enemies, but obſtructing their relief.

bloudſhed that he did foreſee was like to follow.

The Duke had no ſpoyls nor gifts given him ſince ever he ſigned the Covenant (ſave the Title of DUKE) but hath been ſpoyled both himſelf and friends by thoſe that followed Montroſſe.

The Duke ſtands firm to his Covenant for the eſtabliſhed religion, loyal to his Prince for Monarchical Government, faithfull to his Country againſt all forein Invaſion.

The Duke acts nothing but according to the Laws eſtabliſhed, according to the Covenant, and the the duty of every good Subject.

Duke Hamilton *hath been of that temper to mediate for a well-grounded Peace, his Majeſties deliverance, and the Perſonal Treaty, being the only probable ways for ſetling the three Kingdoms, and ſetling the power where it ought to be for the Honour and ſafety both of King and Subjects.*

The Duke hath uſed, and is uſing all endeavours to Vindicate the oppreſſed Subjects in both Kingdoms, never changing Intereſts, being always faithfull to all thoſe to whom he did profeſs love and friendſhip.

Let

Let the impartial Reader now judge which of the two is moſt religious. As this oppoſition betwixt Duke *Hamilton* and *Argile* makes them both to appear what they are; ſo this following Parallel betwixt the *Argathelian Faction* and the *Independent Junto* will ſerve for an eye-ſalve to cure the eye-ſight of both Kingdoms, and let them ſee clearly how near they are to the brink of an intolerable and perpetual ſlavery.

Argile *and his Faction ſtiled by the* Independents, *the* Godly party in *Scotland*, the reſt all Malignants.

1. The Army of Sectaries in *England* (however formerly Preached and wrote againſt) now called by *Argile's faction the hope of their ſafety.*

The like in England *by the Army of Sectaries and Independent Junto, above twenty millions ſhared amongſt them, whereof the Kingdom can never get accompt; all places of Honour and Truſt of* England *ſtill in the hands of thoſe that are engaged for, and with the Army of Sectaries.*

2. The heavy Taxes impoſed and continued upon *Scotland* by *Argile* and his Faction, and all the benefit thereof, and moſt part of the monies got from *England*, ſhared amongſt them, and no ſatisfactory accompt given to the Kingdom thereof.

Cromwell *and the army for the King in their firſt ingagements; but having inſlaved the City, inforced the Parliament to the dethroning Votes, and as not formerly acquainted therewith, gave thanks for them, and ſent their Emiſſaries to ſome ſeduced Counties and Corporations to do the like.*

3. All places of Honour and truſt uſurped by *Argathelians* (till of late) and the Army modelled to maintain their Intereſt.

4. *Argile* formerly (yet but ſeemingly) for Monarchy, now really againſt it, and all that deſire to aſſert it.

Cromwell *contributes a Paſſe to His Guides, ſlacking the guards, as he did the ſecond time, when he frighted him with a Plot from* Hampton-Court *to the* Iſle of Wight, *where he remains cloſe Priſoner.*

5. That Faction firſt betrays the King to come to the *Scots* Army, promiſing protection, and then moſt perfidiouſly delivered Him up to the mercy of His moſt cruel Enemies.

6. *Argile* and his Faction have been moſt cruel to thoſe they call their *Enemies*, eſpecially in cold bloud; and perfidious to their friends, deſerting and betraying them.

7. *Argile* when he had done miſchief, muſt have both thanks and reward; and like a Conquerour, march through the Kingdom in triumph: a thing never granted amongſt the noble Romans to triumph for a Victory in a Civil War.

8. *Argile's* Faction petitions, That the Army intended for His Majeſties inlargement, and the relief of our Presbyterian Brethren ſhall not come in.

9. *Argile* and his Faction deſires but five thouſand Horſe to aſſiſt them to ſubdue *Scotland*, which muſt be turned a *Province to the Kingdom of the Saints*.

The blood ſhed in England *under colour of* juſtice *in cold blood, calls aloud for vengeance; and the perfidious breaches of the Army of their promiſes to King, Parliament and Country, is too too evident.*

What the inſolent Army did, comming with Bayes in their hats when they inſlaved the Parliament, and riding in triumph through the City, by whoſe bounty they were made and maintained an Army, will to their perpetual infamy be regiſtred to all poſterity.

The Army, and ſome others by their inſtigation, petition that the Kingdome may be ſetled without the King, and that Army continued to enſlave the Kingdom, eſpecially the Presbyterian party, their Army being for Toleration.

Cromwell *was ready to comply, but got ſome other work for the time; and if God prevent it not, will now ſpeedily be able to obey* Argile's *deſires; but if that fail,* Argile *ſhall have money, and ſend* David Leſley *to levy Forces abroad to work* Argile's *ends.*

Let this ſerve for a Caveat to the miſled and deluded Proteſtants of the three Kingdoms not to truſt the *fair promiſes or pretences of theſe ſeeming Saints*, who have made the *ſolemn League and Covenant*, (intended for preſervation of *Religion, His Majeſties Honour, and the juſt Liberties of the Subject*) to be the ruine of Religion, the diſhonour (ſo far as in them lieth) of His Majeſty and

and the moſt abſolute enſlaving of all free Subjects, not to Kings or Princes, to Great men or Good men, but to the very ſcum and off-ſcouring of both Kingdoms; it being no ſmall grief to all that truly feared God, that ſo many of the reputed honeſt Preſbyterian party ſhould (out of baſe fear, or other by-reſpects) comply ſo long with theſe State-Juglers, the Clergy being moſt active, hatning thereby their own and the Kingdoms miſery; for they may be well aſſured, if theſe Saints prevail, they muſt (as ſome of them have done already) turn their Coats once more, and become the Hirelings, and tongue-tied *Tenants at will* to *their Brethren of the Independency*, or be kicked out of their *fat Benefices*, and poſſibly out of the Kingdom to prevent new Inſurrections againſt them, which they are cunning to procure, having the power in their hand to repreſs all that dare appear againſt them may be ruined, others by their example terrified, and their Saints may enjoy the fatneſs of *England*; but I would ask theſe violent Clergymen of the Presbyterian Party that are unwilling His Majeſty ſhould be brought ſpeedily to a *Perſonal Treaty*, what their *Aſſemblies* of *Divines* have been doing? for if that Confeſſion of Faith ſet out in *England*, approved of in *Scotland*, be agreeable to the truth of Gods word (as I know nothing to the contrary) why ſhould the chief Magiſtrate our dread Soveraign be any longer debar'd of his juſt dues? is He worſe then Infidel, that you will aſſiſt thoſe that deny His ſacred Majeſty that which they allow to Infidel Magiſtrates? bluſh for ſhame, and repent in time, leſt as they change their Votes every day, according as the tide of their power ebbs and flows; ſo they may ſoon force you to repeal that Article concerning the chief Magiſtrate, or (like the gloſs of *Orleans*) put an expoſition upon it which deſtroyeth the text. *God ſend us peace and truth, and preſerve His ſacred Majeſty, and his Poſterity, and confound the wicked counſels of all ſuch as are enemies to Peace, Truth, and Monarchy*

——— *Si quid novisti rectius iſtis,*
Candidus imperti; Si non, his utere mecum.

THE END.

OR THE

HISTORY

OF

THE SECOND PART.

BEING

[illegible]

Historical and Politick upon this present

PAR[illegible]

Begun *Anno* 16. *CAROLI Primi.*

By THEODORUS [illegible]

Psal. 8. 8.

Virum sanguinum & dolosum abominabitur Dominus.

Diodor: Sic: l. 17. p. 517.

Τὰ κατὰ τὸν πόλεμον προτερήματα τὰ πλείονα διὰ τυχὴν ἐπιτυγχάνετο· Τὸ δὲ ἐν ταῖς ἐξουσίαις ἔλεος διὰ μόνης τῆς φρονήσεως γίνεται.

Idem l. 18. p. 594.

Philippus dicere solebat, Δημοκόποις τὸν μὲν πόλεμον εἰρήνην ὑπάρχειν τὴν δὲ εἰρήνην πόλεμον.

[illegible], Printed for R. Royston, at the *Angel* *Ivy-Lane.* 1661.

To the Reader.

READER, *having ſpoken to thee in the* First Part, *I might have forborn thee in this* Second, *did I not fear to ſeem guilty of the ſullenneſs and malignity of theſe times. The Subject-matter of my Book is a Combination or Faction of* Pſeudo-Politicians, *and* Pſeudo-Theologitians, Hereticks *and* Schiſmaticks, *both in Divinity and Policy, who, having ſacrificed to their Fancies, Luſts, Ambition and Avarice, both their God and Religion, their King and Country, our Laws, Liberties and Properties, all duties divine and humane, are grown ſo far in love with their proſperous ſins, as to entitle God himſelf to be the Father and Author of them; from whoſe written Word and revealed will held forth to us in the Scriptures as the only* North-pole *and Cynoſure of our Actions (where they find no warrant for their doing) they appeal to the ſecret will and Providence of God, to which they moſt Turkiſhly and Heatheniſhly aſcribe all their enormities, only becauſe they ſucceed: and, from that abyſs of Gods providence, draw ſecondary principles of Neceſſity & honeſt intentions, to build the* Babel *of their confuſed Deſigns and Actions upon; not conſidering that wicked men perform the ſecret will of God to their damnation; as good men do the known will of their Father to their ſalvation. If a Man ly ſick to death, and his Son wiſh him dead, this is ſin in the Son, although his deſire concur with the ſecret will of God, becauſe the Son ought to deſire the preſervation of his Fathers life, whereto the*

will of God revealed in his word obligeth him: and vivendum ſecundum Præcepta, non ſecundum Decreta Dei; *The ſecret will & providence of God can be no rule and law of our actions, becauſe we know it not, nor can ſearch into it without preſumption: we muſt not therefore* altum ſapere, *think ourſelves too wiſe and well gifted to tie our ſelves to the Scriptures of God; and luſt after Revelations and Inſpirations; expecting God ſhould rain Bread from heaven for us* (Manna, Exod. 16. 4.) *but he viſe unto ſobriety. But,* proſperum ſcelus, virtus vocatur *Thus caſting off the written word of God (unleſs where by an inforced Interpretation they can ſqueez Atheiſm and Blaſphemy out of it (as they do ſometimes rack Treaſon, Murder, and Non-ſenſe out of our Laws and Parliament-priviledges) conducible to their ends) they inſenſibly caſt off God himſelf, and make themſelves both the ſupreme cauſe and finall end, the* Alpha *and* Omega *of all their doings, whilſt they uſe the Hidden & unſearchable Providence of God but as a Diſguiſe and Viſard to mask under, like* Cælius *the Atheiſt in* Martial. *Proſperity is become a ſnare to them, and a Topick place out of which they draw Arguments to ſatisfie themſelves there is no God, no Religion, but a prudentiall one to fool the People with.*

Nullos eſſe Deos, inane Cœlum,
Affirmat *Cælius*, probatque,
Quod ſe videt, dum negat hæc, beatum.

But O wretched unholied men! What are they that thus commit Burglary in the Sanctum Sanctorum *of Gods Providence? That preſume, not only to pry into, but to thruſt their hands poluted with bloud & rapine into Gods myſterious Ark? Thus much for the ſubject matter. For the manner of my writing, I confeſſe, as to the ſtyle, it is not* æquabile ſcribendi Genus, *all of one weaving and con-*

contexture : It is a Hiſtory writ with a Satyrick ſtyle and vein : --------Nam quis iniqui,

Tam patiens orbis, tam ferreus ut teneat ſe ?

It is a virtue to hate and proſecute vice. The Scripture tells us, there is a perfect hatred, a holy Anger. *And our* Chaucer *tells us,* The words muſt be of kynn unto the deeds *otherwiſe, how can they be expreſſive enough? I deteſt* vitia pulcherime mangonizata; *vice trick'd up in virtues raiment; and proſtituted under her modeſt dreſs to ſtir up Adulterers.* Quicquid agunt homines noſtri eſt farrago libelli. *A huge Galimaufry, an* Oglio *of all villanies I here ſet before thee: it cannot be all of one dreſſing and ſeaſoning, it muſt be a mixture, a* Hogo *of all Reliſhes; like* Manna *in the Wilderneſs, it muſt be applicable to all Pallates: wherefore acording to the variety of every preſent ſubject-matter,* vel ridenti rideo, vel flenti fleo, *I become all things to all men, I aſſimulate my affections & humors to every Mans humor as well as to the preſent Theam; that I may take every Man by the right hand and lead him out of this* Ur *of the Chaldeans, this Land of* Ægypt, *this houſe of bondage in judgement and conſcience, though not in perſon and eſtate : which muſt only be the mighty handy work of that God who is able to divide the Red Sea, and give us a ſafe march through it upon dry Land.*

Which that he would vouchſafe to do let us all join our hearty prayers: and that we may inſtrumentally ſerve him in it, let us all join our heads, hearts and hands together ſince God neglects faint-hearted and cowardly prayers: Let us not lie in the ditch and cry, God help us. *But let us help God to help us; and keep* cor unum, viam unam, *in the doing of it*

Job

Job 8. 13.

SPes Hypocritæ peribit, non ei placebit vecordia sua, & sicut tela Saraneorum fiducia ejus.

Polyb. l. 3. p. 186.

Ἀναγκαιότατα μέρη τῆς ἱστορίας εἰσὶ τὰ τ' ἐπιγινόμενα τοῖς ἔργοις, καὶ τὰ παρεπόμενα, καὶ μάλιστα τὰ περὶ τὰς αἰτίας.

Idem l. 6. p. 458

Ἐστὶ Πολιτειῶν ἀνακύλωσις, καὶ αὕτη τῆς φύσεως οἰκονομία, καθ' ἣν μεταβάλλει καὶ μεθίσταται καὶ πάλιν εἰς αὐτὰ καταντᾷ τὰ κατὰ τὰς πολιτείας.

Idem l. 11. p. 647.

Πᾶς ὄχλος εὐπαραλόγιστος ὑπάρχει, καὶ πρὸς πᾶν εὐαγωγὸς· ὅθεν ἀεὶ τὸ παραπλήσιον πάθος συμβαίνει περί τε τοὺς ὄχλους, καὶ τὴν θάλατταν.

Thucyd. l. 1. p. 15.

Ἀταλαίπωρος τοῖς πολλοῖς ἡ ζήτησις τῆς ἀληθείας, καὶ ἐπὶ τὰ ἕτοιμα μᾶλλον τρέπονται.

The

The Ordinance paſſed 20 Aug. 1647. *To null and void all Acts, &c. paſſed under the force of the Apprentices.*

Die Veneris 20. *Auguſt* 1647.

An Ordinance for Declaring all Votes, Orders, and Ordinances paſſed in one or both Houſes, ſince the force on both Houſes, July 26. *until the* 6. *of this preſent* Aug. 1647. *to be null and void.*

WHereas there was a viſible, horrid, inſolent, and actual force upon the Houſes of Parliament, on Monday 26. *July* laſt; whereupon the Speakers, and many Members of both Houſes of Parliament were forced to abſent themſelves from the ſervice of the Parliament: and whereas thoſe Members of the Houſe could not return to ſit in ſafety before Friday the 6. of *Auguſt*; It is therefore declared by the Lords and Commons in Parliament aſſembled, that the Ordinance of Monday 26. *July*, for the repealing and making void of the Ordinance of the 23. of the ſaid *July*, for ſetling of the *Militia* of the City of *London*, being gained by force and violence; and all Votes, Orders, Ordinances paſſed in either, or both Houſes of Parliament, ſince the ſaid Ordinance of the 26. of *July* to the ſaid 6. of *Auguſt*, are null and void, and were ſo at the making thereof, and are hereby Declared ſo to be, the Parliament being under a force, and not free: Provided alwaies, and be it Ordered, that no perſon or perſons ſhall be impeached, or puniſhed for his or their actions, by, or upon, or according to the aforeſaid Votes, Orders, or Ordinances, unleſs he or they ſhall be found guilty of contriving, acting or abetting the aforeſaid viſible and actual force; or being preſent at, or knowing of the ſaid force, did afterwards act upon the Votes ſo forced, or were guilty of entring into, or promoting the late Engagement for bringing the King to the City upon the Terms and Conditions expreſſed in His Majeſties Letter of the 12. of *May* laſt.

John Browne
Cler. Parl.

Titus Quintius apud Livium.

Diſcordiæ ordinum eſt venenum hujus urbis, Patrum & plebis certamina: dum nec nobis imperii nec vobis libertatis eſt modus dum tædet vos Patritiorum nos Plebeiorum, Magiſtratuum, &c. Proh Deum fidem! quid vobis vultis? Tribunos plebis concupiſtis, concordiæ cauſa conceſſimus: Decemviros deſideraſtis? creari paſſi ſumus: Decemvirorum vos pertæſum eſt: coegimus abire Magiſtratu, &c. Tribunos plebis iterum creari voluiſtis, creaſtis, Conſules facere veſtratum partium; patritium quoque Magiſtratum plebi donum fieri videmus Auxilium Tribunitium, provocationem ad populum, ſcita plebis injuncta patribus ſub titulo æquandarum Legum, noſtra jura oppreſſa ferimus: Qui finis erit diſcordiarum? ecquando unam urbem, ecquando communem hanc patriam habere licebit?

Tullius pro domo ſua, & pro Planc:

Non Comitiis judicat ſemper populus, ſed movetur plerunq; gratia, cedit precibus, facit eos à quibus eſt maxime ambitus; deniq; ſi judicat non delectu aliquo aut ſapientia ducitur ad judicandum, ſed impetu & quadam temeritate; non eſt conſilium in vulgo, non ratio, non diſcrimen, non diligentia: ſemperque ſapientes ea quæ populus feciſſet ferenda, non ſemper laudanda duxerunt.

Et pro Muræna.

Nullum fretum, nullus Euripus tot motus tantos, tot varias habet agitationes fluctuum, quantas perturbationes & quantos æſtus habet ratio Comitiorum: Dies intermiſſus unus aut nox interpoſita ſæpe turbat omnia; & totam opinionem parva nonnunquam commutat aura rumoris; ſæpe etiam ſine ulla apperta cauſa fit aliud atq; nos exiſtimamus: ut nonnunquam ita factum eſſe etiam populus admiretur, quaſi vero non ipſe fecerit.

Contzen. pol. l. 1. c. 21.

Roma ann. 400. quibus inter Reges & Cæſares libertatem ſe habere profeſſa eſt, in perpetuo certamine ac tumultu vixit.

Tacitus, an. 1.

Diſcordantis patria non aliud remedium eſſe, quam ſi ab uno regeretur.

1 Sam. 8. 6.

Reſtitue nobis regem ut judicet nos.

THE

THE SECOND PART OF *The History of Independency.*

MY First Part of *Relations and Obſervations Hiſtorical and Politick upon this preſent Parliament*, begun *Anno Dom* 1640. *Anno Car. primi* 16. is divided into two Parts or Books, [*The Myſtery of the two Juntoes, Presbyterian and Independent,*] wherein I ſhew with what Art (to advance their Deſignes) the Grandees divided the Houſes into the ſaid two Factions; which Factions entertaining the quarrel in earneſt, their reſpective Grandees were forced to turn their jeſt into earneſt too, for upholding their Authority, with their ſeveral Parties: not unlike Butchers, who in a Country Market ſet their Dogs together by the ears in ſport, and at laſt own their Dogs quarrel themſelves in earneſt. The ſecond Book is [*The Hiſtory of Independency,*] wherein I ſhew the *Riſe, Growth, and Practiſes of that Party*; which being full of ſchiſmatical Quick-ſilver, reſtleſs and ſtirring, and tenable by no Oaths, Principles, Promiſes, Declarations, nor by any Obligations or Laws divine or humane, doth now enjoy the fruits of their Perfidiouſneſs and Treachery, a Conqueſt gotten over their Adverſaries by pretending, proteſting, and falſe promiſing, which they attribute to the Bounties and Mercies of God: and from the ſucceſs of their villanies argue moſt Turkiſhly his bleſſings over them; and as Jewiſhly arrogate to themſelves to be the peculiar People and Saints of God, although he uſeth them but as a Rod in his hand to ſcourge the ſins of the other Party, and of the whole Kingdom. It is the uſual method of Gods juſtice not only to puniſh one ſin

1. The Proeme.

by another, but one Sinner by another; nay a leſſer Sinner by a greater: and at laſt to receive the humble and corrected Sinner into *Abrahams* boſom, and caſt the inſulting Executioner of his wrath into the fiery furnace of his anger. In my aforeſaid [*Hiſtory of Independency*] you have that Faction conquering: In this *Continuation* or *Supplement* of the ſaid Hiſtory, I repreſent them to you triumphing, uſing and abuſing their Victories to the diſhonour of God, deſtruction of the King, beggering and enſlaving of the Kingdom, depriving us of our Religion, Laws, Liberties and Eſtates, and conſequently making our Wives and Children the objects of our fear, deſpair, and ill boding doubts, not the objects of any comfort and joy we can take in them, whoſe miſeries we foreſee, but cannot help. When I conſider the intricacy of this my undertaking, how perplexed it is, how intangled with various changings, counterchangings, revolutions, revoltings, and betrayings of Parties, (ſuch are all Civil Wars, but eſpecially thoſe where the moſt uncivil and barbarous ſort of men, the dregs and lees of the People ſwim a top) how full of diviſions and ſubdiviſions; inſomuch that they who are Friends and hold together in one Intereſt or Faction, are Oppoſites in another. Methinks my labour is as vain, as his that attempted to take the Picture of *Proteus*; or his, that endeavoured to ſhape a Garment for the Moon: When God brought a confuſion but of Lips and Tongues upon *Babel*, what man was able to reduce them into order again? But God hath brought upon us a Confuſion, a *Babel* not onely of Lips and Tongues, but of Heads, Hearts, Hands, &c. What Hiſtorian can find a method in ſo univerſal a *Chaos*? can draw light out of ſo palpable a darkneſs? Beſides, I foreſee my reward to be envy, hatred, malice, contempt, ſlanders, ſequeſtration, beggery, impriſonment, and at laſt an Arbitrary death without any legal Trial, proceedings, Jury, Judges, or Court, or any known eſtabliſhed Law to judge by; *Obſequium amicos veritas odium parit.* I have already followed truth ſo near at the heels (although but a private retainer to her) that almoſt all my teeth are ſecretly ſtricken out: what dare they not now do openly againſt me? ſince by murdering our King; diſ-inheriting his Poſterity, ſubverting Monarchical Government, aboliſhing the Houſe of Lords, and perverting the

Houſe

Houſe of Commons, ſetting up new Repreſentatives, with Supreme and Legiſlative power, and new Courts and Juriſdictions againſt all Laws; they proclaim themſelvs Conquerors of King, Parliament and Kingdom, Victors of our Religion, Laws, Liberties, and Properties, and Triumphers over our Perſons, Wives, Children and Eſtates? ſince they profeſs their will and power to be the only Laws and Rules of their doings, and our ſufferings. But when I conſider, that as no mans innocency, ſo no mans reſervedneſs can protect him; but that ſome men muſt die (according to *Catiline*'s Rule) to make up the number, others to multiply confiſcations, others to ſatisfie private ſuſpitions, malice and revenge, and many muſt die to cement and foment this new erected Tyranny with their bloud, I thought it as eaſie, and more honorable to die waking and working for my God, my King and Country, than to die ſleeping, and have my throat cut in a Lethargy. I know theſe Schiſmaticks thirſt as much after bloud, as they hunger after money: and I am ſure to be involved in the common and inevitable ruine of my Country, why ſhould I not rather periſh for it now, than with it hereafter? It is more manly, more noble, more Chriſtian; *Dulce & decorum eſt pro patria mori*, was the ſaying of an Heathen, why not of a Chriſtian? Religion, Laws, and Liberties lie now at ſtake; why ſhould not I come in for a Gameſter? it is a mixt cauſe, and he that dies for it is a Martyr. He that fears death muſt be a Slave to thoſe Tyrants that carry the Sword; he that fears Poverty muſt be a Villain to thoſe *Judaſes* that bear the Purſe; but he that fears God will borrow ſtrength from him to contemn them both: Thus putting my truſt in God, I put Pen to Paper, and my life into the ſcales, where God (I know) holds the ballance: he whoſe providence takes notice of a Sparrow falling from the houſe-top will watch over me, and either protect me againſt them, or receive me from them.

Cromwell and *Ireton* (by advice of their thriving *Junto* of Independents in the two Houſes) having mutinied the Army againſt their Maſters the Parliament, found that crime could not be defended but by committing greater: wherefore they ſeized the Kings Perſon at *Holdenby* to gain Authority with the People; that they might the better ſubdue the Parliament to their luſts:

An Introductory Repetition.

See my I. part of the *Hiſtory of Independ.* ſect. 7, 8, 9, 10, for 11, 13, & 14.

Sect. 18, 19. for the better expediting whereof, they courted the City of *London* to ſit Neuters, and let them work their wills with the Parliament; which Myne not taking fire, they united the ſchiſmatical party of the City and Country to them, and all ſuch as being guilty of publick cheats and ſpoils, deſired the protection of the Sword to make good their rapines, and accounted all men elſe as Enemies; applying themſelves to wooe and cajole the People, eaſily wrought upon as being weary of the War, and of the miſ-government, Factions, confuſions and oppreſſions of their new Maſters the Parliament, which indeed were very great, but aggravated by them and their Agitators beyond the truth: and the whole weight of them charged upon the more moderate and innocent party (onely becauſe they were their Oppoſites) whereas had they ſet the ſaddle on the right horſe, as ſure as *Judas* bore the Bag, the Independents muſt have rid before the Cloakbag; they being the Publicans and Sinners that handled moſt publick treaſure. The Layers on, Exactors, Treaſurers, &c. of Taxes, the far more numerous and buſie party in all Mony-Committees, and gainfull Employments, Engroſſers of all great Offices, and the greateſt Sharers of publick money amongſt themſelves for Compenſations for Loſſes and Rewards for Services pretended; and conſequently, that Faction were the greateſt Dilapidators of the Commonwealth, Oppreſſors of the People, and Authors of confuſion, though (according to cuſtom) by an impudent fallacy, called (*Tranſlatio criminis*) the Independent Faction lay their Baſtards at other mens doors, making a ſhew to redreſs thoſe faults in other men, which themſelves are chiefly guilty of: wherefore the better to ingratiate themſelves with King and People, they printed and publiſhed Ingagements, Declarations, Remonſtrances, Manifeſtoes, Propoſals, and Petitions of their own penning, and ſent them by their Agitators and ſectary Prieſts into all Counties for concurrence and Subſcriptions, the better to ſteal the reſpects of the People from the Parliament to themſelves, like *Abſolom*, they flattered the People to make Addreſſes and Complaints againſt publick Grievances to them only; boaſting themſelvs for the ſole Arbitrators of Peace, Reſtorers of Laws, Liberty, and Property; Settlers of Religion, Maintainers of the Priviledges of Parliament,

Refor-

Reformers and Callers to Account of all Committees, Sequeſtrators, Treaſurers, &c. Deliverers of the People from that intolerable Exciſe and other Taxes: But above all, Preſervers of all juſt Intereſts, and Reſtorers of the King to his juſt Rights and Prerogatives with *honour*, *freedome*, and *ſafety* to his Perſon, (originally their own words, though ſince they quarrel with Parliament and City for uſing them) and Reducers of his Queen and Children; without which, they openly profeſs and declare poſitively in many printed Papers to the world and the Parliament, there can be no ſetled peace nor happineſs in this Nation. The truth of this Aſſertion was obvious to the meaneſt capacities and will ſuddenly be proved by dear and lamentable experience. To all theſe undertakings they now hunt directly counter, yet in purſuance of theſe undertakings, the Army (by their own Authority) made Addreſſes to his Majeſty, and preſented to him more tolerable Propoſals than any he could obtain from his Parliament? they treated with him, yea, they wrought upon him under-hand to neglect the Propoſitions from Parliament tendered to him at *Hampton-Court*; and to prefer the Propoſals of the Army; and then (preſuming they had him faſt ly'm'd) they propounded to him anew (as I have it from good hands) private propoſals from the Intereſt of the Independent Grandees and the Army, derogatory to the Kingly Power and Dignity, to the Laws, Liberties, and Properties of the Subject, and deſtructive to Religion. To which his Majeſty giving an utter denial, they began to entertain new Deſignes againſt the Kings Perſon, and Kingly Government, which they uſhered in by ſetting the ſchiſmatical and Levelling Party on work in City and moſt Counties, to obtrude upon the Houſes clamorous Petitions againſt further Treaties, and demanding exemplary Juſtice againſt the King: exceedingly laboured by *Cromwell*

Book of Declarations of the Army, pag. 112.

Repreſent. of the Army at *S. Albans*, *June* 23. 1647.

B. Declar. again, p. 64.

Sir *Thom. Fairfax*'s Letter to the Houſes from *Reading*, *July* 6. 1647.

B. Declar. again, p. 75.

Propoſals of the Army, *Aug* 1. 1647.

Putney Projects, p. 13, 14, 43. and my Animadverſions upon the Army's Remonſtrance, delivered to the Commons, *Novemb.* 20. 1648.

The Second Part of *England*'s New Chains; and the hunting the Foxes from *N. w-Market* and *Triple Heath* to *White-hall* by five ſmall Beagles, p. 6, 7.

See my Animadverſions upon the Army's Remonſt. *Novemb.* 20. 1648. and *Putney* Projects. p. 43. and Major *Huntington*'s Relation in a Book called, *A Plea for King and Kingdome*, in anſwer to the Army's Remonſt. preſented *Novemb.* 20, 1648. pag. 14, 15, 16. and Second Part of *England*'s New Chains; and the ſaid hunting of the Foxes, &c. And the Reaſons inducing Major *Robert Huntington* to lay down his Commiſſion.

Cromwell himself in *Yorkeshire* both amongst the Gentry and Soldiers, &c. (amongst these the Petition, *Decemb.* 11. 1648. was the most eminent) these men that insolently petitioned against the fundamental Government of the Land, and Peace by Accommodation, were entertained with Thanks; Others that petitioned for Peace by Accommodation were entertained with frowns, disfranchisings, sequestrations, wounds and death, as the *Surrey* Gentlemen; this shewed with how little reality the over-ruling Party in the Houses Treated with the King. In order to this Design of laying aside the King, and subverting Monarchy, They 1. frighted His Majesty into the *Isle of Wight*. 2. The Parliament (that is, the predominant Party) pursued him thither with offer of a Treaty upon propositions: conditionally (that before he should be admitted to treat) he pass 4 Dethroning Bills; of so high a nature, that he had enslaved the People, subverted Parliaments, and had made himself but the Statue of a King, and no good Christian, had he by his Royal assent passed them into Acts of Parliament; and the Parliament (or rather the Grandees) after his Royal assent, might have made themselves Masters of all the other Propositions without his Consent: so that this Treaty was but a flourish to dazle the eyes of the world. His Majesty therefore denied the 4 said Bils, and thereby preserved the legal Interests of King, Parliament and People; yet the Faction presently took a pretence and occasion thereupon to lay aside the King, by passing 4 Votes for no more Addresses to him; and a Declaration against him: which were not passed without many threats, and more shew of force than stood with the nature of a free Parliament, the Army lying near the Town to back their Party: the design having been laid before hand between Sir *Henry Vane, Junior*, Sir *John Evelyn* of *Wilts*, *Nath. Fiennes*, Solicitor *Saint Johns*, and a select Committee of the Army. I told you before, the People had been throughly instructed formerly by the Army and their Agitators, That *there could be no peace nor happinesse in* England, *without restoring the King to his just Rights and Prerogatives, &c.* notwithstanding which the People now found their hopes that way deluded by the Army and their Party; who had cast off the King upon private discontents, the true grounds whereof did not appear; and

2. part of *Englands Chains* discovered.

1. Treaty in the *Isle of Wight*.

1. par. Hist. Ind. sect. 62, 63, 64.

Ibid. sect. 65, 66, 68, 69, 70, 71, 72, 74, 75. And my said Animadvers. 9. 10. And the 2. part of *Eng.* new Chains.

2. part of *England's* new Ch. discovered, p. 4, 5.

and had obſtructed all ways to Peace and Accommodation, and made them dangerous and deſtructive to ſuch as travel'd peaceably in them, witneſs the ſad example of the *Surrey-men*, *Kent*, *Eſſex*; and all to perpetuate their great Places of Power and profit. The minds of the people therefore troubled with apprehenſion that our old Laws and laudable form of Government ſhould be ſubverted, and new obtruded by the power of the Sword, ſuitable to the luſts and intereſts of theſe ambitious, covetous men; and finding beſides evident Symptomes of a new War approaching to conſume that ſmall Remainder, which the laſt Wars had left, grew ſo impatient of what they feared for the future, and felt at preſent (inſupportable Taxes, Free-quarter, inſolency of Souldiers, Martiall Law, Arbitrary Government by Committees, and by Ordinances of Parliament changed and executed at the will and pleaſure of the Grandees, inſtead of our ſetled and well approved Laws) that deſpair thruſt them headlong into Arms in *Wales*, *Kent*, *Eſſex*, *Pontefract*, &c. and at the ſame time a cloud ariſing in *Ireland*, a ſtorm powred in from *Scotland*, and the *Prince* threatning a tempeſt from Sea; theſe concurrences looked ſo black upon the Independent Grandees; that they gave way to a ſecond mock-Treaty in the *Iſle of Wight*; which was the fruit of their cowardiſe and Subtilty; as appears by Sergeant *Nicholas* (a Creature of theirs) who (upon *Saturday*, *Octob.* 28. 1648.) moved in the Houſe, *That the Lord* Goring *might be proceeded againſt as a new Delinquent out of mercy*, becauſe he had Cudgelled them into a Treaty; though now they attribute all to the Kings corrupt Party in the two Houſes: the Army likewiſe kept a mock-Faſt or day of Humiliation at *Windſor*, to acknowledge their ſins, and implore Gods mercy for their former diſobedience to the Parliament in not Disbanding, and their inſolent Rebellion in Marching up in a Hoſtile and Triumphant poſture againſt the Parliament and City, *Auguſt* 6. 1647. promiſing more obedience hereafter, and to acquieſce in the judgement of the Parliament, and Declared, *That it was proper for them to act in their own ſphere as Souldiers, and leave State affairs to the Parliament*: but this was done but to recover the good opinion of the People and City, and to keep them from ſtirring, and to ſtay the moderate

2. Treaty in the *Iſle of Wight*.

Declar. *June* 14. 1647.

rate Party of the two Houſes from Declaring the Army Enemies, recalling and Voting their Commiſſions and eſtabliſhed Pay void, which they might have done with ruine to the Army and their Party in that Conjuncture of Affairs, and with ſafety to themſelves, and applauſe of all honeſt men of *England* that had taken part with the Parliament from the beginning; had not ſome Grandees of the rigid Presbyterian party (both within and without the Houſes) ſome curſed thing, ſome *Achans* wedge in their boſomes which ſuggeſted, Their ſins were greater than could be forgiven; and therefore they durſt not caſt down the partition wall between them and the King (this Army) though it lean ſo hard upon them, it is ready to overwhelm them: War is neceſſary for ſome men of every Faction, whoſe crying ſins peace will lay open and naked to the ſcorn, deriſion, and deteſtation of the world. How well theſe ſanctimonious Sword-players of the Army have obſerved the Duties and Undertakings of their ſaid Humiliation, let the world judge: have they not returned again with the Dog to the Vomit? Have they not cozened God, and their own Soules? Sure they faſted from ſin then, that they might ſin with the more greedy appetite now; and asked God forgiveneſſe of the old ſcore, that they might ſin again upon a new ſcore. Thus you ſee the two Treaties in the *Iſle of Wight* were begotten by fear and (that Idoll of the Independents to which they offer up all their knaveries) neceſſity. They were Cockatrice Eggs laid by the grandees when they had been Crow-trodden by Armies from abroad, and Tumults at home; upon which they ſate abrood onely to hatch Scandals and new quarrels againſt the King, Anarchy and confuſion to the State, and Tyranny and oppreſſion of the People: to ſet up the Olygarchy of the Saints, or Council of State, the Kingdom of the Brambles, wch ſince doth ſcratch the wool from off the skin, the skin from off the fleſh, and the fleſh from off the bones. I have been compelled to uſe ſome introductory Repetitions in this part of my diſcourſe, that I may give you the whole myſtery of the 2 Treaties with the King in the *Iſle of Wight*, with the cauſes efficient, and final of them, under one view; leſt ſome one link of the chain eſcaping your obſervation, it become a Chain of errors to you.

See my firſt part, Sect. 65, 66, 105, 106, 107. and the concluſions there. Sect. 16, 17, 18.

My

My firſt part of the *Hiſtory of Independency* ends with that which was but an unlucky preface to a Treaty with the King, namely, *Cromwells* menacing Letters to the Speaker of the Houſe of Commons, dated *Auguſt* 20. 1648. relating his eaſie purchaſe of a great Victory over Duke *Hamilton*, and Lieut. Gen. *Bayly*; wherein he relates the number of the Scotiſh Forces, far differing from the former report of Lieut. Col. *Osborne* a Scotiſh Gentleman, made in the Houſe of Commons, *July* 20. (wherof I have ſpoken in my firſt part) who (to take away the terror of them) eſtimated *Hamiltons* and *Langdales* conjoyned Forces to be but 10000. and it was then thought a note of diſaffection to report them any more; but this Letter (for the greater glory of his ſanctified Army) multiplies them to be 21000. The manner of the Fight was very ſtrange and Exceedingly to be ſuſpected (eſpecially by any man who hath heard or read of *Bayly*'s former demeanour in his own Countrey at *Kylſythe* and *Auforte Kirke*) It was little better than a beating up of Quarters for 20 miles together (for ſo far the Scots Army lay ſcattered in their Quarters, the Horſe ſo far diſtant from their Foot, they could bring them no ſeaſonable relief) Sir *Marmaduke Langdale* with his ſmall Party drew forth, and made an honourable reſiſtance, had he been timely and ſtrongly ſeconded: on the Scotiſh Party the Fight began at *Preſton* in *Lancaſhire*, where the Duke being worſted, retreated to *Wigon*, from thence to *Warrington* thorow Lanes and Faſtneſſes, where *Bayly*, Lieut. General of the Scotiſh Foot, being ſtrongly quartered upon a Bridge and Paſs, yeelded up 6000 Foot and Arms without fighting, and ſo ruined his whole Infantry: from *Warrington* the Duke fled with 4000 Horſe to *Namptwich*, from thence to *Utoxeter*, where his manner of yeelding himſelf to Colonel *Wayte* (a Member of the Houſe of Commons) take out of *Waytes* own report in the Houſe, who ſaid, *the Duke yeelded ſimply, and without any Articles of Surrender; that he voluntarily gave him his Sword, Scarfe, Signet of Arms, and his George; that he hung upon him ſo that he could not get from him, deſiring him to ſecure him from the rage of the Souldiers; ſaying, He had not come into* England, *but that he was invited by a greater part of Lords, Commons, Citizens, and Covenanters than called in the laſt Scotiſh Army*: preſently the Bloud-

3. *Hamilton overthrown.* See my firſt part 136.

Sect. 110, 111.

hounds of the Faction in the Houſe ſcented this, and called upon *Wayte* to know whether he named any? *Wayte* Anſwered, that *Hamilton was a ſubtile, politick Lord, and no doubt (for the ſaving of his own life) would do that in more convenient time.* Hereupon a Committee (all of Canibal Saints) was preſently packed, and ordered to go down and examine the Duke, but no particulars could they get from him: which was an honorable ſilence, and made amends for his former laviſh ſpeech. It was happy the *Prince* did not truſt himſelf in the Head of this Army. Had *Hamilton* marched immediately to *Colcheſter*, or but to *Pontefract*, (which he might eaſily have done, *Lambert* his onely Oppoſite ſtill retreating before him) the whole Country had riſen with him. But he knew the Presbyterian party had rendred themſelvs contemptible, and he as much contemned the Independents, therefore he foreſlowed his march, willing *Cromwell* and *Fairfax* ſhould ſubdue all other Parties, and that he onely might have Arms in his hands to bring in the King upon his own terms; this over-confidence undid him: He was too much a States-man, and too little a Souldier.

4. The inſolency of the ſchiſmatical Members upon report of the Victory.

This Victory did work like botled-Ale with *Scot Thomſon*, *Cornelius Holland*, Sr. *Henry Mildmay*, and many others of the light headed Saints, who were ſo puffed up with the windeneſſe of it, that they began to ſwell with diſdain and malice againſt the Perſonall Treaty, and to threaten and inſult over all that had either petitioned for it from abroad, or ſpoke for it in the Houſe, as the only means of peace and a ſettlement.

5. The wiſer ſort ſubtilly continue a mock-Treaty.

But the wiſer ſort (more crafty to do miſchief) knowing that the people were weary of Taxes and the Army; and had no hopes of peace but by a Perſonal Treaty; and were reſolv'd to purchaſe peace, although at the price of a new War, that *Colchaſter*, *Pontefract*, *Scarborough*, and a Caſtle or two in *Kent* were not yet reduced, the people in *Wales*, *Kent*, *Eſſex*, the *North*, not yet ſetled in ſuch a calm but that a new ſtorm might ariſe: a conſiderable party of the *Scots* yet unbroken in *England*, and fronting *Cromwell* and *Lambert*, under the Command of *Monroe*, a daring, knowing, and uncorrupted Commander; *Scotland* it ſelf not yet aſſured to them: and above all, the *Prince of Wales* with a ſtrong Fleet at Sea, likely to raiſe new tempeſts at Land,

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had he landed ſome men in *Kent* or *Eſſex*, to gather up the male-contents there but newly ſcattered and broken, and ready to adhere to any Party to defend themſelvs from the fury and rapines of their Committee; *Warwicke* but a freſh water Admiral, lying in the *Thames* under protection of the Block-houſes, and relying upon Land-ſouldiers to awe the Mariners from mutinying; a cloud ariſing in *Ireland* ready to break into a ſtorm: upon theſe conſiderations, the Cabal or cloſe Junto of Grandees thought fit to dally on the Treaty, the better to keep the Prince quiet, in expectation thereof, and gain time to work upon his Seamen, (already corrupted for want of work and pay) and to gull and pacifie the reſt of the Members and People (not patient of a ſharper remedy, (untill *Oliver* had quite finiſhed his Northern work, and marched nearer *London*; *Colcheſter* reduced and the *Princes Fleet* retired to Harbour to avoid Winter, and then to break off the Treaty, and purge the Houſe of thoſe Members that ſought peace by an accord with the *King*, under the notion of *the Kings corrupt Party*; to blind their eyes therefore, the Speaker *Lenthall* (though at this time the Foreman of *Olivers* ſhop) when it was debated in the Houſe, *Whether a Treaty ſhould be had with the King in the Iſle of* Wight *upon the Propoſitions of Hampton-Court*? The Queſtion much oppoſed, and at laſt put, the *Noes* and the *Yeas* were equall, 57. to 57. inſomuch that the Speakers voice was put in to turn the Scales; he gave his voice in the *affirmative*, that time following his conſcience againſt his Intereſt, and my Lord *Say* (openly in the Houſe of Lords) ſaid, *God forbid that any man ſhould take advantage of this Victory to break off the Treaty:* and the *Armies Scout*, from Tueſday *Novemb.* 14. to *Novemb.* 21. 1648. propounds three Riddles to the Reader, 1. *Why the Grandees of the Junto that uſe to rule the Army are the moſt active Solicitors for an Agreement of the Parliament with His Majeſty when then the Army are acting to the contrary?* 2. *Why His Majeſty ſtumbles onely at the matters wherein the Presbyterian Intereſt is concerned, when that Faction is the onely viſible Prop to His Life, Crown, Dignity, and dying Intereſt?* 3. *Why the Souldiers Petitions for Juſtice upon his Majeſty were ill reſented, and they thought worthy to be tried by a Councill of War, as Offendors, yet a Remonſtrance was then framing by the Grandee-Officers to the*

ſame purpoſe, and much more againſt the preſent Authority? and in this the General concurs.

6. New Inſtructions to *Hammond* in order to the Treaty, ſect. 122.

The next thing taken into conſideration in relation to the Treaty, was, the giving new inſtructions to *Hammond* the Head-Goaler, how to demean himſelf in the Treaty, which had formerly been voted to be in the *Iſle of Wight*, with *Honour, freedome, and ſafety to his Majeſty*: The inſtructions were; 1. *That the King ſhould enjoy the ſame liberty during this Treaty that He had at* Hampton-Court. 2. *That no perſon excepted out of mercy, none now impriſoned by the Parliament, nor none now in actual Armes againſt the Parliament, ſhould be admitted to come to the King.* 3. *That no forreign Agent ſhould make any Addreſs to him without leave of both Houſes.* Againſt theſe Inſtructions it was argued, *That ſome of them contradicted the former Votes, That the King ſhould Treat in Honour and Freedome, and that he ſhould enjoy the ſame liberty he had at* Hampton-Court, *which could not be ſo long as He was denied to correſpond with other Princes his Allyes (with whom He was in League and Amity) by their Ambaſſadors and Agents, a Royalty inſeparable from the Crown, allowed Him at* Hampton-Court, *and to deny it was implicitely to dethrone Him.* To which was anſwered, *That this was true of a King in actual exerciſe of his Regal Power, which this King neither is, nor ought to be until He hath given ſatisfaction to His Parliament: That it was a great condeſcention in them, and below the Dignity of a Parliament, to recall their Votes of Non-addreſs, and put the buſineſs of the Treaty thus forward; and if He would not accept of a Treaty upon ſuch conditions as the Parliament thought fit, then things would be but where they were.* The peaceable moderate Party, perceiving what operation the Scotiſh Victory had already upon the fancies of thoſe hot-headed men, knew they muſt ſpeak mannerly and modeſtly for fear of correction, and muſt take what they could, ſince they could not have what they would. 4. *That the King ſhould give His Royal word not to remove out of the Iſland during the Treaty, nor in 20 daies after, without conſent of the two Houſes?* this was to make his chains a link or two longer, yet the King did give His Royal word accordingly.

7. The Earl of *Warwick*'s Letter to *Derby-houſe*, complaining of his Sea-men.

Thurſday, *Aug.* 24. a Letter came to the Committee of Safety at *Derby-Houſe* from the Earl of *Warwick*, complaining of the perverſeneſs

perverſeneſs of his own Sea-men: and that thoſe with the Prince would not yet ſtoop to the Gods of Gold, (his own words) *That ſome other way muſt be thought of beſides force, to undermine the Prince, that ſince they had ſubdued their Enemies by Land, it would be a good preparative to work upon their Enemies by Sea with the ſame Engine.* You ſee theſe Saints having gotten a publique purſe into their hands, are (at the Peoples coſt and charges) bountifull corrupters of other mens faith, having none of their own.

8. A Committee to make effectual the Sale of Biſhops Lands, and cajole the City.

About this time a new kind of pick-lock was invented to open the iron Cheſts and Counter-boards of the City, and invite them to throw more money after that they had caſt away already in purchaſe of Biſhops Lands; namely, *a Committee to conſider of a way to ſecure unto the Purchaſers the Money they had already diſburſed upon the ſaid Lands; and to remove all impediments in the Sale for time to come.* To which Col. *Harvy* ſaid, *That he had experience in the late defection of the City, when the men moſt backwards in the Parliaments ſervice, were ſuch of the Presbyterians as had no engagement upon Biſhops Lands; whereas others of the ſame party that have intereſt in the ſame Lands, are as forward as any the beſt affected.* Here you ſee what it is that chains the affections of the City to this Parliament, and what it is that divides them amongſt themſelves; ſelf-reſpects makes them run along blind-fold with the Grandees in any deſign or faction. A good bargain makes a bad man; *Harvey* needs no other preſident but himſelf, nor no more viſible monument than his exceeding cheap bargain of *Fulham-houſe* and *Manor*: which changed him from a furious *Presbyter* to a Bedlam *Independent.*

9. A Commiſſion into the North to enquire what damages they have ſuſtained by the Scotiſh Invaſion.

About this time it was Ordered, *That Commiſſions ſhould be iſſued forth into the Northern Counties, to enquire what Damages they have any waies ſuſtained by* Hamilton's *Invaſion?* This device was of a twofold uſe. 1. *To cut off the Scots demands for money due to them for their laſt Brotherly aſſiſtance, and otherwiſe.* 2. *To cajole the poor Countrey into a belief they ſhall have reparations againſt the Scots, and raiſe them into a clamorous complaint againſt the Scots; and at laſt a deadly feud when they ſhall finde their hopes denied by them and diſappointed.* In the mean time they are patiently eaten up with Taxes and Free-quarter, and while they look for what they

they ſhall never have, they loſe what they have already; This was the much applauded invention of Maſter *St. Johns* of *Lincolns Inne.*

10. *Colcheſter* ſurrendred, with the ſequel thereof.

About this time the newes of the Surrender of *Colcheſter* inflamed the Antimonarchical Faction from a Feaver to a frantick Calenture. They yielded to mercy, and within 4 hours after *Sr. Charles Lucas*, and Sir *George Liſle* (for the better explanation what Independent mercy is) were *ſhot to death*; ſome attribute it to an *old quarrell* between him and General *Fairfax*, others think it was done to put an *affront* upon the King and the Treaty: Colonel *Farre* was likewiſe condemned by the Councel of Warre at the ſame time, but is reprieved as a witneſſe againſt the Earl of *Warwick*, when time ſerves, for when *Warwicke* long ſince waited at the Commons Doer with ſome Ladies to petition for a Reprieve for the Earl of *Holland*, a Souldier of the Guard inſolently told him, *He had more need to petition for himſelf.*

11. Inſtructions for the Commiſſioners to treat with his Majeſty.

Inſtructions for the Commiſſioners to Treat with the King were Debated. The Independents propounded, *that thoſe Propoſitions that were moſt advantagious to the Parliament ſhould be firſt debated, and if the King did not confirm them all, the Treaty to break off:* But it was held unreaſonable in any Treaty, *that one Party ſhould bind himſelf before the Concluſion, and leave the other at large, and himſelf in the lurch*; ſo it was Ordered, *They ſhould be Treated of in order as they lay, and (according to his Majeſties deſire) nothing binding to either Party untill all was agreed of.* The next ſtumbling block caſt in the way was, *that ſeeing* 40 *daies onely were allowed for to Treat, that they ſhould limit how many days (and no more) ſhould be ſpent in Treating upon every ſeverall propoſition:* But this was looked upon as a cavil to make void the Treaty, and ſo over-ruled; you ſee what uſe theſe men that gain by War make of their Victories.

A Debate what Gentl. ſhould be allowed to attend his Majeſty in the Treaty.

The next thing debated was, *the liſt of ſuch Gentlemen as were named to attend the King in this Treaty:* The moderate Party excepted againſt *Aſhburnham* (a great man with *Cromwell*) and *Legge*, as being priſoner to the Parliament: The Independents excepted Dr. *Sbelden*, *Hammond*, and *Oldſworth*, for the ſame reaſon; but the next day the Speaker moved, that *Legge* and *Aſhburnham*

burnham might go to the King: and to satisfie such as had objected their Imprisonment against them, the Independents alleaged they were unduly imprisoned, and moved, a Committee might be appointed to examine the cause of their Restraint: but the moderate alleaging the same reason for the said three *Doctors* and making the same motion for them, there was no farther proceedings therein.

Thus far I have briefly set down the Preparations towards a Treaty; the Treaty it self between the King in the *Isle of Wight*, and the Parliaments Commissioners; their Reports of the Results to the Houses; and the Houses Debates and Votes upon them took up almost all the time untill the 6. *December*, 1648 (some few businesses of no great moment intervening) many imperfect and partial Relations of them have been printed *cum Privilegio*; but Mr. *Will. Pryn* in his excellent Speech made in the House of Commons, 4. *Decemb.* 1648. and since printed, hath set down all the most material Arguments on both sides, with great candor and ingenuity, and hath confuted the Ememies to Peace and Accomodation: if strength of Reason can confute those men that follow only their own Interests of power and profit, whose wills and lusts have alwayes been their own Lawes, and are now become the onely Laws of this Conquered Kingdome: I love not *actum agere*, I referre my Reader therefore to his Speech, and will only trouble him with some Observations upon this Treaty.

13. Master *Pryn's* Speech in the House; proving the King's concessions to be a ground for a settlement.

I have said something of the *Militia* and the Kings *Negative Voice*, in the 1. part of this History, especially in the *Conclusions* at the later end; I will only say that without them the King cannot be a Governing King, but a bare titular King, a picture, a shadow, because the protection of the people depends upon the power of the Sword; he cannot protect them and their Lawes with the Scabbard: the Authority of the Scepter follows the power of the Sword: wherefore to give away one, is to lose both; nor can the Subjects be any longer his Majesties Subjects, but Slaves to their fellow Subjects, when so many petty Kings (not authorized by any Law of God or Man to protect the People) shall hold the Sword over their Heads, and distract them with different Opinions, disagree in Commands, according to the

14. The *Militia* and Negative Voice. sect. 62, 63, 64, 106. and the Conclusions. 15, 16, 17.

the variety of their ſeveral luſts, factions, and intereſts: how can the King according to his Coronation Oath and duty (to which God hath called him) govern and protect his People, when he hath given away his Sword to a factious Parliament where one Party tyrannizeth over the other, and threatens the other with the longeſt Sword? how abſurd and impoſſible it is for the Subject to expect protection from one hand, and to ſwear and pay Allegiance to another hand, that hath diveſted it ſelf of all power to protect them; let our Laws, the practice of all Nations and times, and the judgement of the learneſt Politicians tell you, whoſe Maxime is, *Illa optima eſt Reſpublica ubi Princeps quàm maximum poteſt boni, & quàm minimum mali; Primo ne nova Tributo indicere, nova vectigalia conſtituere poſſit, inconſulta Republica: Deinde legum condendarum anti quandarumque pœnes Rempublicam, non unum aliquem Magiſtratum eſſe debet poteſtas; nullæ enim in re gravius peccatum admittitur, nuſquam graviores turbæ minantur quàm biſce de rebus*; That is the beſt form of Government, where the King can do moſt good, and leaſt evil: 1. Let Him be diſabled to raiſe new Taxes, and lay on new Tribute: 2. Let Him not have the ſole power to make or repeal Laws, which ought to belong to the Common-wealth; not any one Magiſtrate; for no power is more hurtfull to the people, nor ſtirs more Commotions than theſe two: ſuch is the Kingdome of *England*; the King hath neither the Power of our Purſes, nor the changing of our Laws in His hands, and if he give away his Sword, he will be ſuch a King of clouts as can do neither good nor evil, like *Rex Sacrificulus* at *Rome*, *ea ſumma poteſtas dicitur, qua ſecundum Leges non eſt major neque par*; ſuch was the Dictator at *Rome*, he had no equal there, *Papyrius Curſor dictator*, adjudged to death his General of the Horſe *Fabius*, for fighting againſt his command though proſperouſly, and rejected all appeal to the Senate and Tribunes of the People; yeelding at laſt onely to their prayers, with this ſaying, *Vicit tandem imperii majeſtas*: ſuch is the King of *England*, the Common-wealth cannot compel Him to grant a Pardon, or diſpenſe juſtice or mercy as they pleaſe; the Oath of Supremacy calls Him *Supreme Governour in all Cauſes, over all Perſons*, ſo do all our Statutes, to whom in Parliament (which is the higheſt ſphere of Majeſty) is

1. part, ſect. 40, 41, 42.

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he laſt appeal by Writ of Error, who is, *Principium caput & finis Parliamenti*, the beginning, head and end of the Parliament; and therefore he only calls the Parliament, to adviſe with him, and diſſolves it when he is ſatisfied; He makes War and Peace, and is Protector of the Laws, and of all juſt intereſt; only the policy of the Law diſables him to make, repeal, or alter Laws, or raiſe Monies without conſent of both Houſes by Bill paſſed; (which is but an *Embrio* untill he quickens it by his Royal Aſſent) becauſe this way the King may do moſt hurt, and wrong to his people (as I have already ſaid) it being the wiſdome of our Laws to keep the Sword in one hand, and the Purſe in another.

See the firſt Part of this Hiſtory *Prolegomena*, 1.

15. The 1. Propoſition for juſtifying the *Parliaments Cauſe and Quarel*, and *condemning his own Cauſe and Party*, was a bitter Pill; but an earneſt deſire of peace ſweetned it, and guilded over, and invited him to ſwallow it without chawing or ruminating upon it; but how deviliſh, unchriſtian, and illegal a uſe the Faction hath made of this extorted confeſſion, let God judge.

15. The 1. Propoſition for juſtifying the Parliament and condemning His own quarrel.

16. Their inſiſting upon it, That *the King ſhould take the Covenant*, was an errour in Policy, whereof the rigid Presbyterians are guilty; they (ſuppoſing the King would take it at laſt) ſtood upon it, and intended thereby to joyn the King to their Intereſt and Party. The more ſubtile Independent knew the King would not, nor could not take it; and therefore complied with the Presbyterians in obtruding it upon him, to break off the Treaty; many things in the Covenant were vain in the Perſon of His Majeſty, as, *That he ſhould ſwear to maintain his own Perſon, &c.* which the Law of nature bindes him to without an Oath, which in this caſe is idle, and a prophaning of Gods name; ſome things in the Oath were contradictory to what the Parliaments Propoſitions deſired of him, as, *to maintain His own Authority in defence of Religion, Laws, and Liberties*, which was impoſſible for Him to do unleſs he kept the *Militia* in his own hands, and his *Negative Voyce* alſo, which that clauſe in the Bill of *Militia*, *That all Bills for leavying Forces ſhould have the power of Acts of Parliament, without the Royal Aſſent, &c.* would have deprived him of, by making their Ordinances Acts of Parliament in effect,

16. The Covenant endeavoured to be put upon the King.

binding to the Perſons and Eſtates of the People in an Arbitrary way, to their utter enſlaving: *To ſwear to Aboliſh Biſhops, &c.* was againſt his Coronation-Oath, *To ſwear to extirpate Hereſies, Schiſmes, &c.* is more than the Independents would permit; *To ſwear to maintain the Union between the two Nations*, which the Parliament declare already to be *broken by the Scots Invaſion*, is vain: beſides, how unjuſt a thing was it to impoſe that Oath upon the King, when moſt Members of the Parliament, Army, and others, are left at large not to take it? The Parliaments Demands, *That the King ſhould declare againſt the Marqueſs of* Ormond's *proceedings to unite all the Intereſts of* Ireland *for the ſervice of his Majeſty*, was no part of the Propoſitions upon which the Treaty was begun, but a ſubſequent requeſt upon an emergent occaſion; and therefore I ſee no reaſon why the King ſhould have given any anſwer to it, but only have held himſelf to the original Propoſitions, yet he did Anſwer, *That the whole buſineſs of* Ireland *was included in the Treaty, and therefore a happy Agreement thereupon would ſet an end to all differences there*, which being voted *unſatisfactory*, and moved that a *new Declaration might be publiſhed againſt him*; the King was inforced to put a ſtand to the Marqueſſes proceedings by his Letter, to his great prejudice; yet theſe Declarers againſt him do now comply with *Owen Roe Oneal*, and have entertained *O Realy*, the Popes Iriſh-Vicar-general in *England*, to negotiate for the Iriſh maſſacring Rebels with the Parliament: Theſe things conſidered, prove what I finde in our late King *Charles* the 1. moſt excellent Book, Chap. 18. *That it is a Maxime to thoſe that are Enemies of peace, to aſk ſomething which in Reaſon and Honour muſt be denied, that they might have ſome colour to refuſe all the reſt that is granted.* More obſervations upon this unlucky Treaty I will not trouble my Reader with, theſe being enough to ſhew the vanity of thoſe Propoſitions; by theſe he may take a ſcantling of the reſt *ex pede Herculem.* I cannot but blame the indiſcretion, if not the indiſpoſition of thoſe Commiſſioners who cavilled away ſo much time in the Treaty, untill *Cromwell* had done his work in the North, and marched up to Town to make the Treaty in-effectual.

17. *Jones* complains by Letters that *Ireland* was like to be loſt.

About the latter end of *Octob.* 1648. Col. *Jones* ſent whining Letters

Letters from *Dublin* to the Steersmen at *Derby*-house, complaining that *all* Ireland *was like to unite and prosecute the Kings Interest*, and therefore he cried *for help*; but neither the said Committee, in their consultations, nor the Army in execution of what was resolved, could agree amongst themselves: the Engrossers and Monoplizers of Oligarchy into a few hands, desiring to make themselves a Corporation of Tyrants, suspect an opposition from the Levellers, and would fain turn them out of the Kingdome, into *Ireland*, to seek their fortunes, and practice their Levelling principles in a strange Land: The Levellers (more numerous in the Army, though less numerous in the said Committee) strain courtesie with their Betters, and would have them go first, thinking the seeds of Liberty and equality will prosper better in the soyl and air of *England*; While they were disputing, if Marquess *Ormond* had been acting (as he had been, had not the King been necessitated to retard him, by his said Letters, sent from the *Isle of Wight* during the Treaty) the King had recovered that Kingdome intirely to himself, which had been of great advantage to him.

The 20. *Novem.* 1648. Col. *Ewers* with seven or eight Officers more, presented at the House of Commons Bar a thing called by those that use to miscall things) *An humble Remonstrance of the Army*: It is founded upon these five Anarchical Principles. 1. *That themselves and their faction only* (whom they call exclusively, the Well-affected, Godly Honest-Party, the Saints) *are the People of England*, all the rest but Philistines, Amorites, or (at the best) but Gibeonites. 2. *That their Interest only is the publick Interest of the People.* 3. *That the People* (that is themselves) *are the only competent Judges of the Peoples safety* (contrary to the laws and practice of all Nations, which bestow that Prerogative only upon the Supreme Magistrate) but it may be here lies hid another subsequent principle, *That they are the Supreme Magistrate, armed with Supreme Authority, as well as with their Swords*, and hereupon, they as good as tell the House, *That if their supposed dangers be not removed, and those remedies which they Remonstrate admitted, they shall make such appeal to God* (that is, their Sword) *as formerly they have done.* 4. Principle is consequential to the 3. *That they may drive on their design* (upon pretence

of neceſſity, ſelf-preſervation, honeſt intentions, Providence, or Revelation) *againſt all Powers, Forms, of Government, and Laws whatſoever,* under colour of the much abuſed Maxime, *Salus Populi Suprema Lex eſto*, the ſafety of the People is the Supreme Law; which hath been the fruitful Mother of many Rebellions in all Ages, to ſerve the corrupt ends of ambitious Perſons; who uſually fiſh in troubled waters to attain to thoſe ends which they could never arrive at in ſetled Governments. This is a Principle, or new light diſcovered by Major *Huntington, That it is lawful to paſs through any forms of Government, for accompliſhment of their ends, and therefore either to purge the Houſes, and ſupport the remaining Party by power everlaſtingly, or put a period to them by force*; and themſelves imply as much in this Remonſtance, p. 45. ſaying, *It cannot be ſafe to accommodate with the King, becauſe if he return, and this Parliament continue long and unlimited, He will make a Party amongſt them*; *He hath bid fair for it among the Commons already, and the Lords are his own out of Queſtion*; *and therefore we dare not truſt the King amongſt them.* Again they ſay, *That if the King come into the Parliament, He will be looked upon as the Repairer of Breaches, Reſtorer of Trade, Peace, Plenty, &c. And if the Army ſhould keep up (as it muſt) upon Taxes, the Houſes and Army will be looked upon as Oppreſſors*; *and the jealouſies and diſcontents of the People be increaſed againſt them, and make them apt to to joyn iſſue with the Kings intereſt, and may yeild us up a ſacrifice to appeaſe the King and his Party*; out of theſe words, and their own practice, I concluded for them, *ergo*, They may carry on their deſign upon neceſſity for ſelf-preſervation againſt the Monarchical Government, and Law of the Land, to *murder the KING*, as they have ſince done. Again they ſay, *If the King were returned, each Party would ſtrive firſt, and moſt to comply with Him, ergo*, there is a neceſſity to ſubvert the Kingdome and *murder the KING*. Behold what uſe theſe cowardly Saints make of neceſſity, and ſelf-preſervation. 5. *That they may appeal to their Sword againſt the Authority of any their Governours, in order to publick ſafety*; which two laſt concluſions ſet the door wide open to Faction and Rebellion; ſince the People are ever floating and given to change, and every turbulent ambitious Fellow, is apt to raiſe them into a ſtorm againſt their Governours, for their

their fabulous assertions wherewith these Saints usually guild over their foul actions, 1. *That the Houses were free when they passed the four Votes for Non-addresses.* 2. *That they were not free when they recalled them.* 3. *That the People were quiet and contented until the recalling of those four Votes; and afterwards were unsetled, and presented clamorous Petitions.* 4. *That the Army did not apply themselves to the King until he proffered himself to them.* 5. *That when they made Addresses to Him, it was but to prevent the Presbyterian Party.* But it appears, their aim (from the beginning) was to suppress the Presbyterian, and advance their own Party, and lay by the King, and domineer over him and the Kingdome; for when *Cromwell* had brought his Design to perfection, he said at *Kingston, That he was as fit to rule the Kingdome as Hollis* 6. And then but hypocritically. All these are sufficiently confuted in my said *Animadversions*, and in the said Plea, for the King and Kingdome, in *Putny Projects*, and in my *First part of the History of Independency.* After all this tedious stuffe aforesaid, they make Propositions to the Parliament of two sorts, all founded upon the said five Antimonarchical Principles; The first for *satisfying publick Justice* (that is, for the Hangman to teach the Judges who they shall sentence to execution) 1. They demand, *the Person of the King may be brought to speedy Justice*; this affront they put upon the Parliament when they were neer conclusion of their Treaty with Him: when He had already granted more to his Subjects than ever any King condescended to: is this through the sides of the King to give Monarchy, the fundamental Government, and Laws of this Land, and consequently the liberty and property of the People, their Deaths-wound. By the Law of God, nature, reason, and the Laws of all Kingdomes impunity is an inseparable Prerogative of Kings, as they are Supreme in their Dominions; the *Petition of Right*, 3. *Caroli*, Declares, *That they had no power to hurt the Kings Prerogative*, much less (I think) to hurt his Person; the Laws are the Kings Laws; Courts the Kings Courts; Judges his Judges; Great Seal, his Seal; Writs, the Kings Writs;

Sect. 65. 66, 68, 69, 70, 71, 72, 73, 74, 75, 88. 89. 97. 98.

The Kings Supremacy; and from thence his impunity proved.

See the Oaths of Allegiance, Supremacy, Stat. of Recognition.

1 *Jac. Cokes* Institut. 5. 1.

Stamford's Pleas of the Crown, l. 1. ch. 1. 2, Stat. 25. *Edw.* 3. 42. *E.* 3. Read Mr. *Pryns Memento* to the Un-parliamentary Junto, his Speech in the House of Commons, 4. *Dec.* p. 72, 73, 74, 75, 76, 77. and my 1. Part. sect. 106. The Conclusions. Sect. 17. and my Animadversions. p. 18.

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the Justice and Peace of the Land are his, consequently the Wars his Wars, he is the fountain of all Authority as well as of all Honour, *Thou shalt not speak ill of the Governour of the People*; therefore not accuse him. The King hath no Superior nor equal in *England*, contrary to that false distinction of the *Observator*, that he is, *Major singulis, minor universis*. When *David* would have gone forth to Battel, his Army dissuaded it, using these reasons, *If we flee, they will not care for us, neither if half of us dye, will they care for us: But thou art worth ten thousand of us.* Here you see the King is reckoned, *major universis*, more than all his Army; and yet that Army was (at that time) in effect, all the well-affected of the Land; and therefore (by the Anarchical Principle aforesaid) the only people of Land; for further proof hereof I appeal to all our Laws and Statutes, how will they Try him? Who shall Judge him? Who are his Peers, that he may be Legally Tried like a Free-born man (for sure they cannot deny him that right) according to *Magna Charta*, *per legale judicium parium suorum?* It is a grounded Maxime in our Laws, *The King can do no wrong*; wherefore then will they Try him, for doing no wrong? The policy and civility therefore of our Laws (and of our Parliament too, in all their Declarations, Remonstrances, so long as they continued in any state or degree of innocency) alwayes accused his Evil Counsellours and Ministers, and freed Himself, lest they gave advantages to ambitious men, *Absalom*-like, to scandalize and dishonor him, and render him low and vile in the eyes of the people; to the disturbance of the peace of the King and Kingdomes, and shaking of the Royal Throne which is alwayes accompanied with an Earthquake of the whole Land. St. *Peter* bids us, *Submit to every Ordinance of man for the Lords sake, whether it be to the King as Supreme, or unto Governours as those that are sent by him.*

1 Pet. 2. 13. Here the King is called *Supreme*, not *the People*; and though said to be an ordinance of man in some respects, yet St. *Paul*, *Rom.* 13. saith, He is ordain'd of God; 2 Governours are distinguished. The King is supreme, and Governors are sent by him, and his Commission. Besides, it appears, *Gen.* 3. 16. and 4. 7. God gave not to all men that freedom which is supposed the foundation of Supremacy, in the people; He made them not Masters of their own liberty, for even then he laid the foundations of obedience in *Abel* to *Cain*; *Eve* to *Adam*. If a people chuse a King, it is the Act of every particular man, of whom the Commonalty consists; and each individual, not the whole Commonalty can give him more power than himself hath. But no man hath power over his own life, neither arbitrarily, nor judicially; but only over his liberty, which he may so give away, as to make himself a subject, or a slave, this makes him so choose a Ruler, or Protector of them, who have parted with their liberty, and subjected to him; and then God (who only hath power of life and death, invests the King with power to be his Minister of God, to execute vengeance, not bearing the Sword in vain, *Rom.* 13. See Dr. *Hammonds* Letter to the L. *Fairfax*, Jan. 5. 1648.

As

As free, and not using your liberty for a cloak of maliciousness, but Fear God, Honour the King: But these rebellious Saints abusing Christian liberty for a cloak of maliciousness, will (according to their 4. Antimonarchical Principle) make the giddy, ignorant, tumultuous, many-headed multitude Judges of their King, and make the confused Rabble his Superiours, thereby setting up two Superiours one contradictory to the other, and so turn the Kingly Government into a popular Military Government, abolish our Laws, and leave all to the power of the Sword in an Arbitrary way, to carry on their design; to which purpose they have lately caused their Journey-men, the present House of Commons to vote (contrary to our known Laws) *That the Supreme Authority of this Nation is in the People of* England, and therefore in themselves as their Representative. This is a 6. Anarchical pricple of the Army and their Party, who wanting reason to prove it, assert it by the Authority of their Mock-parliament, and must now make it good by the Sword to justifie their proceedings against the King and people. These popular principles are meer empty notions, whereby the Grandees draw the Supreme Authority thorow the people to themselves; the better to enslave them; for the liberty of the Commons doth not consist in a licentiousness to interrupt the Government of their Superiors, and change the Government according to their fancies; but the liberty of the people consists in the enjoying the fruits of their labours, their goods, possessions, estates, and their personal liberty, according to the known Laws of the Land. When *Harry Martyn* in *Bark-shire* forbad the people *to stand bare at the Sessions, and do homage and fealty to their Lords*; he gulled them, and gave them that which was not their due, to rob them of that which was their due; their Horses, Goods, Mony, plundred from them, for service of the State, (forsooth) and beat them that defended their own; so that while he flattered them to be the Supreme Authority and Lords Paramount, and the Parliament to be their servants; he used them like slaves conquered by the Parliament. Besides, it is not all the people, nor the thousandth part of them, but a few covetous, ambitious men, that desire to bring the King to capital punishment, and subvert our fundamental Government and Laws, that have usurped the

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power of the Kingdome into the hands of their Faction, and now require this to keep themſelves from being called to account. The ſecond Demand tends to diſ-inherit his Poſterity, viz. *That the Prince and Duke of* York *come in by a day appointed, and acquit themſelves of their capital Delinquency, or elſe to be Declared incapable of Government, and to dye without mercy, if afterwards found in the Kingdome*; this Summons is but to inſinuate their guilt; if they refuſe to appear, as reaſon tells us they muſt and will. This is to ſhut the door after Monarchy, and keep it out for ever; in farther purſuance, they demand *the Revenue of the Crown* to continue ſtill in Huckſters hands to pay *publick Debts*, and repair the Loſſes of the People (that is) themſelves The ſecond ſort of Propoſitions are, for ſetling of the Kingdom upon their own Grounds and Intereſt, *That a certain period be ſet to this Parliament, by which time the Supreme truſt in them may return unto the People*: that is, ſtill to themſelves and their Faction, the new erected Committee of State, the *Hogen Mogens* at *White-hall*. Thus you ſee having removed out of the way the King, the firſt and moſt viſible legal Authority; they will now put down the Parliament, the ſecond viſible Authority of *England*, who are now the onely Bulwark againſt the Tyranny of the Sword, and then (as Major *White* ſaid at *Putney* long ſince) there will be no viſible Authority left in *England* but the power of the Sword, which will introduce a new Parliament, or rather fantaſtical new invented Repreſentative (deſtructive to Parliaments) all of their own Creatures; as appears by their next Propoſition, concerning ſucceſſion of Parliaments. 2. *That none ſhall be capable of Electing, or being Elected, that have engaged againſt the publick Intereſt*, (that is, the Intereſt of them and their party, as appears by their 5. Anarchical principles in the beginning of this Paragraph) *nor any that oppoſe this Agreement*; By what Authority (but the arbitrary ſway of the Sword) ſhal Freemen be diſfranchiſed, & loſe their Birth-rights for not changing the fundamentals of Parliaments, Government, and Law, and

This is ſo explained by the *Moderate* (one of the raling Penmen of the Faction who hath a large ſhare in the 500. or 600. a year allowed to theſe Pamphletires, for divulging State-lies and Slanders amongſt the People) who from *Novem* 14 to *Novem.* 21. 1648. (Num. 19.) defineth the People of *England* to be onely ſuch as have not engaged for the King; and ſuch as ſhall ſign to the Agreement of the People, which is to be above Law, and all the reſt are to be Diſfranchiſed.

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ielding them up to the luſts of an Army of Rebels, that brag hey have Conquered the Kingdom, and we are their Slaves? 3. *That Elections may be ſo diſtributed, as to render the Houſe of Commons a Repreſentative of the whole People,* (that is, tag and rag, and canting Beggers, who have nothing to give or loſe, as well as Free-holders) ſo farewell Writs of Summons, and all orderly, legal forms; if all men, without any diſtinction, may Elect, and be Elected, all will fall into confuſion; the Rabble will never agree, all things will tend to Riots and Tumults; ſo that the better and ſoberer ſort will, and muſt forbear, and leave all in the hands of the Raſcality, and at laſt no Repreſentative will be choſen, or ſuch an one as the People will be aſhamed to own, and will deſert them, and leave them to be ordered at the pleaſure of the Army. 4. Prop. *That our Kings hereafter may be Elective, and diſclaim a Negative Voice:* how frequent Civil Wars are in all Elective Kingdoms during the *inter-regnum*, or ſpace between the death of the old, and choice of the new King, how obnoxious to the Souldiery, let the old Emperors of *Rome*, thoſe later of *Germany*, the Kingdom of *Poland*, and heretofore *Bohemia*, and *Hungary* tell, all Hiſtories are full of examples; yet if our elective Kings ſhall have neither the *Militia*, nor a *Negative Voice* in Councils, and the *Crown Revenues* be otherwiſe diſpoſed of (as is inferred) and their Heads expoſed to the humours of the People, or their Repreſentative, the Office will be ſo unworthy of any wiſe man, that I do by theſe preſents freely give my voice to the Lord *Fairfax*, and ſo unfit for any honeſt Gentleman; that I do hereby give my voice to *Cromwell* the perfidious Brewer; catch who catch can, let them agree amongſt themſelves, I care not which of the two ſhall be ſet up for the new States Scar-crow. This *Remonſtrance* was about a week after ſeconded with a moſt inſolent threatning *Declaration*, compoſed altogether to terror; it was occaſioned as followeth. About the later end of *November*, the Parliament was informed the Army was upon their march to *London*, whereupon (not without great oppoſition by the Armies Party in the Houſe, and with great caution it ſhould be mannerly phraſed for fear of angring his inſolency) a Letter was voted to be ſent the General, forbidding his nearer approach. In contempt whereof

the Army immediately printed the ſaid *Declaration*, accuſing the Parliament of *Breach of Truſt*, *Lightneſs*, *Inconſtancy*, *Indiſcretion*, ſaying, *They would appeal from them to the People* (that is ſtill themſelves; you ſee they hold one and the ſame Rod over King and Parliament) and threatning *to advance preſently to Weſtminſter, to do what God ſhould enable them unto:* The ſame night they came to *Hyde*-Park-corner, and kept Guards there: Hereupon it was put to the Queſtion, *That the Armies approach was prejudicial to the freedom of Parliament?* but through the cowardice of ſome, whoſe hearts now begin to melt, and the impudent reſtleſs bawling of thoſe cheating Saints, that comply with the Army to keep themſelves from giving accounts, it paſſed in the Negative.

19. The Kings Conceſſions debated; and young *S. Hen. Vanes* inſolency.

Decemb. 2. The Kings Anſwer was debated; and as a prologue to it, young Sir *Henry Vane* (a Whelp of the old Curre) ſpake thus, *Mr. Speaker, By this Debate we ſhall know who are our Friends, and who are our Foes; or to ſpeak more plainly, We ſhall diſcover who are the Kings Party in the Houſe, and who the Peoples:* To which was anſwered, *That ſince this Gentlemen were ſo bold, to deal thus by way of prevention, in a threatning manner, and had foreiudged and divided the Houſe into two parts: I hope it is as lawfull for me (who am no Grandee, nor no Gainer by our troubles,) to put you in minde of another Diviſion of the Houſe. Sir, you will find ſome deſirous of peace, and they are Loſers by the War; Others are againſt peace, and thoſe are Gainers by the War. My humble motion is, that the Gainers may contribute to the Loſers, that we may all ſtand upon equal feet; for till then, the Balance of the Common-wealth will never ſtand right towards a ſettlement.* True jeſts bite ſore. He and his Syre oppoſe peace; leſt the Kings Revenue being reſtored, they ſhould loſe a good Trade there: the old Dogge is Chairman of that Committee; the young one is a principal Publican and Treaſurer; they get conſtantly above 6000 l. *per annum*, between them; beſides private cheats by paying half Debts, and taking Acquittances for the whole; and then diſcounting for the whole; burying in old ſleeping Penſions for trifles, that have not been payed in many years, and paying themſelves all Arrears; *Cornelius Holland* is Servant to them both, and hath gotten as much wealth as makes him ſawcy enough

enough to hire *William Lilly*, and other Pampletiers to derive his Pedigree from *John Holland* Duke of *Exeter*, although it be known he was originally a Link-boy, but he is now one of the New Lights, an illuminated Brother. Maſter *Pryn* moved the debate of the Kings Anſwer might be laid aſide until it was a free Parliament not environed by the Army: but (ſaid Maſter *Rich. Norton*) *Take heed what you ſay againſt the Army, for they are reſolved to have a free Parliament to debate the Kings Anſwer, if we refuſe.*

20. The Generall Gariſons *White-hall* and the *Mew* upon his own head.

This day the General took poſſeſſion of *White-Hall* for his Quarters, as if he meant to keep out the King in defiance of the Treaty: he brought to Town with him four Foot Regiments, and ſix Regiments of Horſe; part whereof quartered at *White-Hall*, the reſt in *York-Houſe*, and other great Houſes; the Horſe turned the Reformado Horſe Guards that attended the Houſes, and lodged in the *Mewes* by their order, out of their Quarters, without applying themſelves to the Houſes.

21. The Houſe inform'd that the King was ſurprized by the Army, and carried Priſoner to *Hurſt Caſtle.*

Upon Monday, *Decemb.* 4. News came to the Houſe that *by ſeveral Orders from the General, His Majeſty was ſeized in His Bed-chamber, and hurried away Priſoner to* Hurſt Caſtle, *a Block-houſe out of the* Iſle of Wight, *ſtanding about a mile and a half in the Sea, upon a Beache full of mud, and ſtinking oaze upon low tides; having no freſh-water within two or three miles of it, bitter cold, and of a foggy and peſtilent air, ſo nyſome that the Guards thereof are not able to endure it long without ſhifting their Quarter.* This was a torment beyond Piſtol and Poyſon, many ſpake againſt the inſolency of this fact, as being committed againſt the life of the King, and againſt the Honour and Publique Faith of the Parliament; who had Voted, *He ſhould Treat in Honour, Freedome and Safety, in* Newport *in the* Iſle of Wight; and had accepted His Royal Word *not to withdraw out of the Iſland during the Treaty nor in 20 daies after*; (which were not yet expired) and now to have the Houſes debates and reſults fore-ſtalled, and the Treaty made fruſtrate by ſuch an act of violence and prevention committed upon the Perſon of the King, was a preſumptuous and rebellious act: It was moved therefore *that it might be Declared That his Majeſty was removed out of the* Iſle of Wight *by his Excellencies Warrant without the conſent or privity of the Houſe:* But

hoſe Members that Idolize that Bell and the Dragon, *the Army*, nd are but Prieſts fatting themſelves upon the Sacrifices of that mage; inſiſted upon it to have two words amended in the Queſtion, 1. The word [*Declare*] would be conſtrued to be a Declaring againſt the General and Army: 2. The word [*Conſent*] to e left out, leſt it argued a diſagreement in opinion and practice etween the Army and the Houſe, as if the Houſes diſſented rom it. And certainly thoſe Gentlemen that ſtood upon theſe iceries, could not ſay, it was done with their conſent, for it vas hatched in the Junto; ſo it was barely voted, *To be done vithout privity of the Houſe*, nevertheleſs.

22. The Debate upon the Kings Anſwers reſumed.

The ſame day, they reſolved to reſume their laſt Saturdaies debate upon the Kings Anſwers to the Propoſitions of both Houſes: The firſt Queſtion debated was, *Whether they were ſatisfactory or no*? The Army Party argued, *They were not ſatisfactory, becauſe the King had not granted all their Propoſitions in Terminis*: To this was Anſwered, *That theſe Propoſitions were not ſent to his Majeſty as Bills to be paſſed in Terminis, without debate: but as Propoſitions to be perſonally Treated upon*, (as the Votes of both Houſes, and the Inſtructions of their Commiſſioners prove) now it is againſt the nature of all Treaties Perſonal, to tie up the Parties of either ſide ſo preciſely, that they ſhall have no liberty to vary in any circumſtance or particular; ſo that if all be not preciſely granted, the Condeſcentions ſhall not be ſatisfactory, though all juſt things are yielded to; as appears by all Treaties between Nation and Nation where their firſt demands are never fully granted, but alwaies qualified and limited, if not diminiſhed, he rule being, *Iniquum petas ut juſtum feras*; ſo in all Treaties etween Enemies, Party and Party, ſee Mr. *Pryn*'s ſaid Speech, *Decemb.* 4. 1648. where to avoid cavils, he waves this equivocal Queſtion, and propounds the Queſtion anew in theſe terms, *Whether the Kings final Anſwers to the Propoſitions of both Houſes in this Treaty, conſidered altogether, be not ſo full and ſatisfactory in themſelves, that this Houſe may and ought accept of, and proceed upon them for the ſpeedy ſettlement of a ſafe and well-grounded Peace both in Church and Commonwealth, rather than reject them as unſatisfactory, and ſo hazard the loſs of all, and the perpetuating of our Wars and miſeries?* This he held in the Affirmative, with ſo many

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ſtrong and ſolid Reaſons, Arguments, and Preſidents both out of Divinity, Law, Hiſtory, and Policy; and with ſo clear a confutation of the oppoſite Arguments, that no man took up the Bucklers againſt him to refute him: the Arguments are too many, and too long to be here repeated. Nor do I love to abridge that which hath little or nothing in it ſuperfluous; or to make that ſhort-lined by epitomizing it (ſuch is the lazineſs of men to prefer Epitomies before large works) which I deſire ſhould be long-lined, and paſs through many hands: This debate laſted until Tueſday morning, 5 *Decemb.* eight of the clock (the Independents hoping to tire out and fright away the moderate men) and then it was Reſolved upon the Queſtion (notwithſtanding the terrors and menaces of the Army) *That the Anſwers of the King to the Propoſition of both Houſes, are a ground for the Houſes to proceed upon, for the ſettlement of the peace of the Kingdom*; It was carried affirmatively by 140 Voices, againſt 104. that this Queſtion ſhould be put, and the Queſtion it ſelf was carried clearly Affirmative without dividing the Houſe: preſently after this Houſe appointed a Committee of 6 Members to attend the General, to confer with him and his Officers, and keep a good correſpondency between the Houſe and the Army; who had ſo much ſurly pride, and ſo little manners, as to give them leave to take a nap of three or four hours long (after their nights watching) before admittance, and at laſt diſmiſſed them with this churliſh Anſwer, *That the way to correſpond, was to comply with the Armies Remonſtrance*: The Houſe adjourned until Wedneſday following.

Wedneſday, *Decemb.* 6. 1648. The Saints militant being enraged that the Houſe had recovered ſo much courage and honeſty as to Vote according to their Conſciences, and neglect their wild Remonſtrance and threatning Declaration, (after ſome private conference in the morning between *Pride*, *Hewſon*, and other Officers, and the Speaker in *Weſtminſter-Hall* with the doors ſhut) they ſent to the Houſe of Commons a Paper, requiring *that the impeached Members and M. G.* Brown, (who they belied to have called in Hamilton) *might be ſecured and brought to juſtice, and that the 90 and odd Members who refuſed to Vote againſt the late Scotiſh Engagement, and all that Voted for recalling the 4 Votes for Non-Addreſſes,*

The Armies treaſonable violence upon the Houſe in ſecuring and ſecluding their Members.

dreſſes, and Voted for a Treaty, and concurred in Yeſterdaies Vot [*That the Kings Conceſſions were a ground for the Houſes to proce to a Settlement:*] *may be immediately ſuſpend the Houſe, and th all ſuch faithfull Members who are innocent of theſe Votes would Proteſtation acquit themſelves from any concurrence in them that th may be diſtinguiſhed:* This is to ſubvert the foundation of Pa liaments, and appeal to the judgment of the many-headed mu titude without doors, and put all into Tumults. You ſee wha kind of Parliament the Kingdom hath had ever ſince the Arm Rebelled and Refuſed to Disband; a meer Free-Schoole, whe *Cromwell* is Head-ſchool-maſter, *Ireton* Uſher, and (that cypher *Fairfax* a Prepoſiter; ſurely theſe men are either the ſuprem Judges, or the ſupreme Rebels and Tyrants of the Kingdom This Paper was delivered in, but they ſcorning to ſtay for a Anſwer, (by advice of their Independent Grandees of the Jun to) upon Wedneſday morning, *Decemb.*6.1648. ſent two or thre Regiments of Horſe and Foot to *Weſtminſter*, ſet ſtrong Guard at the Houſes doors, the *Lobby* ſtairs, and at every door leadin towards the Houſe, admitting none but Parliament men to ente *Weſtminſter-hall*, where Col. *Pride*, Col. *Hewſon*, and *Hardres Wal ler* (ſometimes Cavalier, then a violent Presbyterian, and no a tyrannical Independent) violently ſeized upon divers Knight and Burgeſſes upon the Parliament ſtairs and elſewhere going t the Houſe, and forcibly carried them away Priſoners to th Queens Court without any warrant ſhewed, or cauſe aſſigned and there ſet ſtrict Guards upon them; Mr. *Edward Stephens* an Col. *Birche* being in the Houſe of Commons were called forth b feigned Meſſages ſent in by ſome Officers under other men Names, and there violently pulled out of the door, though the called to the Speaker to take notice of the force. The Houſ ſent the Serjeant of the Mace to command the Impriſone Members attendance: but the Guards would not let them com A ſecond time the Serjeant was ſent, with his Mace upon th ſame Errand, but Col. *Pride* in the *Lobby* would not let him paſs which contempt was entred into the *Journal Book*. Hereupon th Houſe concluded not to proceed in buſineſs until their Mem bers were reſtored; and ſent to the General about it; yet af terwards when the Officers had ſeveral daies ſecured, ſecluded

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and frighted away more of the Members: and made the Houſe a Conventicle of their own Complexion, then the Houſe prevaricated and deſerted their Members: About three of the clock afternoon *Hugh Peters* with a Sword by his ſide, (but not the Sword of Saint *Peter*) came into the Queens Court to take a Liſt of the Priſoners Names by order from the General (as he ſaid) where being demanded *by what Authority they were impriſoned?* he anſwered, *By the power of the Sword:* Night being come, the Impriſoned Members (41 in number) were conveyed away to a Victualling-Houſe called *HELL*, and there kept all night without Beds, or any fitting Accommodation, when it grew late ſome of them had offers made them to go upon their Parolls to their own Lodgings, and to appear the next morning at *White-hall*; but this was but a jugling trick to make them acknowledge the Lord *Fairfax*'s Authority, and become voluntary priſoners upon their own engagement, and was therefore refuſed. The next morning being Thurſday, the Impriſoned Members had warning given them *to meet the Ceneral and his Council of War at* White-*hall*, whither they were guarded in Coaches, tired out with watching and faſting: But the mechanick Council took ſo much ſtate upon them, that after ſix or ſeven hours attendance until dark night, and no admittance or application to them: they were led away from thence on foot with Guards of Muſketiers like Thieves and Rogues, and thorow the kennels like Col. *Prides* Dray-horſes, to the *Swan* and *Kings-head*, two Inns in the *Strand*, and there diſtributed under ſeveral Centinels: The Souldiers making a ſtand with them ſometimes half an hour together in the ſnow and rain, until they had put their Guards into a marching poſture; and reviling them, *that they were the men that had couſened to the State of their money, and kept back their pay:* Upon which ſcandalous provocation, ſome of them Anſwered; *That it was the Committee of the Army, and their own Officers that had couſened them:* which ſome of the Foot-ſouldiers then acknowledged. Beſides the 41 Impriſoned Members, the Officers ſtanding ſeveral daies with Liſts of Names in their hands at the Parliament-door, have turned back from the Houſe, and denied entrance unto above 160 other Members, beſides 40 or 50 Members, who voluntarily withdrew to avoid their violence, all whom

See the 2. part of *England*'s Chain diſcovered; and the hunting of the Foxes, &c.

whom they know to be Lofers by the War, and therefore deſirous of a ſafe and well-grounded peace; ſo that they have made War againſt the majority of the Houſe, (that is) againſt the whole Houſe, for, *major pars obtinet rationem totius*, by all our Lawes and Cuſtomes, *The major part of the Houſe is virtually the whole Houſe*; which is Treaſon by their own Declarations and Remonſtrance far higher than that whereof they accuſe the King; and for which they demand Juſtice againſt Him: and the remaining faction of 40 or 50 engaged Members who now paſs unpreſidented Acts of Parliament of the Houſe of Commons (as they call them) without the Lords, ought not to ſit, act, nor take upon them the ſtile of a *Houſe* under ſo viſible, actual, and horrid a force, both by the Laws of the Land, and their own Ordinance, paſſed *Auguſt* 20. 1647. *To null and void all Orders, Votes, and Acts paſſed under the Tumult of Apprentices, from July* 26. *to the* 6 *Aug. following*; and yet the ſaid Tumult ended the ſaid *July* 26. when it began. See the ſaid Ordinance herewith printed. The Army, who now acknowledge no power but *that of the Sword*, (as Major *White* long ſince foretold at *Putney*) and whoſe principle it is, *To break the Powers of the Earth to pieces*, as *Will. Sedgewick* in his *Juſtice upon the Army-Remonſtrance*, ſaith: *And who* (as *Joh. Lilburn* in his *Plea for Common Right*, p. 6. ſaith) *have by theſe extraordinary proceedings overturned all the viſible ſupreme Authority of this Nation, now ſuffer only their own party of* 40 *or* 50 *Members to ſit, and do journey-work under them, who are enemies to peace, and have got well by fiſhing in troubled waters, and hope to get better*: ſo that hardly a ſeventh or eight part of the Counties, Cities, and Burroughs that ought to have Members ſitting, have any body to repreſent them; and therefore how they ſhall be bound by the Votes and Acts of this fag end, this Rump of a Parliament with corrupt Maggots in it, I do not ſee. Friday, *Decemb.* 8. a Meſſage from the General was brought to Sir *Robert Harlow* that he might go home to his houſe, giving his engagement not to oppoſe the actings and proceedings of this preſent Parliament and Army: The like was offered to divers others: you ſee hereby what the offence of theſe Impriſoned Members is, *onely a fear that they will defend the fundamental Government, the Religion, Laws, and Liberties of the Land, the Kings Perſon & Authority, and the being of Parliaments*

liaments againſt the Tyrannical and Treaſonable practiſes of the Army and their Houſe of Commons.

The ſmall remnant of the Houſe of Commons ſent ſundry times to the General to know why *he impriſoned their Members, and humbly to beſeech him to ſet them at liberty if he had nothing againſt them:* But all this was but prevarication and falſe ſhews: For, 1. Their baſe and conditional way of demanding their Liberty [*if he had nothing againſt them*] implies an acknowledgement of the Generalls juriſdiction and conuſance over them & an invitation of him to accuſe them. 2. Their ſitting and acting under ſo brutiſh a force before their Members righted, or the honour of the Houſe vindicated, is a deſerting and yielding up of their Members and honour. 3. Their voting an approbation of the matter of the Generall Officers ſcandalous and jugling Anſwer to their ſaid Demands concerning the ſecured and ſecluded Members (as afterwards they did) without hearing what the ſaid Members could ſay for themſelves, is clearly a fore-judging and betraying them. 4. Their late Votes, *That no man ſhall peruſe their Journal Book of Orders, &c. without ſpecial leave*; is purpoſely done to bar the ſaid Members who cannot make any perfect Anſwer in confutation of the Scandals caſt upon them by the General Councels printed Libel againſt them, without having recourſe to the ſaid Bok, *to ſee what Votes paſſed for* Ireland, *for the* 200000 l. and other matters. To ſay nothing how unuſeful and unjuſt it is to keep the Records of the Houſe from the view and knowledge of any man, and yet to expect their obedience to them. 5. Their exceeding ſtrict & ſevere prohibiting the printing any Books not Licenſed, and imploying Souldiers to ſearch all Printing houſes daily, is done in order to bar the ſaid accuſed Members from publiſhing an Anſwer in their juſtification. 6. Their Summoning Mr. *Pryn* by Order *to appear at the Commons Bar*, knowing him to be ſtill a Priſoner to the Army; ſhews, that the Army and they ſerve each others turns againſt them. 7. And laſtly, the Declaration of the preſent Houſe of Commons, dated *Jan.* 15. 1648. is nothing but an eccho of the ſaid anſwer of the General Councel, againſt the ſaid ſecured and ſecluded Members. They that are ſo wickedly induſtrious to deſtroy theſe Gentlemens credits, do this as a

24. Reaſons, proving that the remaining Faction or Junto ſitting under the force of the Army, were conſenting to the ſecuring and ſecluding their Members, ſect. 134, 135.

preparative to deſtroy their perſons, and ſeize upon their Eſtates, for the maintenance of a new War (which they foreſee their violent courſes will bring upon them) and for the farther inriching of themſelves, and eſtabliſhing their Tranny, which they miſcall, *The Liberty of the People.* This violent purge wrought ſo ſtrongly upon the Houſe; and brought it to that weakneſs, that ever ſince it is eleven or twelve of the clock before they can get forty Members together to make an Houſe, of which number they ſometimes fail: One time the Members would have had the Speaker go on upon buſineſſes with a leſs number than forty, but he knowing all ſo done to be illegal and void, refuſed; and yet (to piece up the Houſe) they permit Mr. *Blagrave*, Mr. *Frye*, and *Humphry Edwards* to ſit as Members, notwithſtanding their Elections are voted *Void* by the Committee of Elections; and one day an Officer of the Army having taken ſome Members going to the Houſe, and ſecured them in the Tobacco-room, under Guard: The Speaker not being able to muſter enough to make a Houſe, was fain to ſend to the ſaid Officer, to lend him his ſaid Priſoners to make up a Free Parliament: This diſgrace put upon the Impriſoned Members is purpoſely intended as an Invitation to all their Enemies to come in and accuſe them; nay, it can be proved that means hath been uſed to ſuborn Witneſſes againſt them; beſides which, the Faction have made a ſtrict Inquiſition into their lives and converſations, and have hitherto met with nothing.

25. The day after the Houſe purged, in comes Dr. *Cromwell* and *Henry Martin* his Apothecary.

Thus the Houſe being throughly purged, the next day in comes the Dr. *O. Cromwell* out of the Country, bringing in under his Protection that ſanctified Member *Henry Martin*, who had ſpent much time in plundring the Country, had often baffled the Houſe, and diſobeyed many of their Orders; ſufficient to have made an honeſt man a Malignant liable to Sequeſtration: But *great is the priviledge of the Saints.* It fortuned that day the caſe of the ſecured Members was reported to the Houſe, which *Harry* interrupting, deſired them *to take into conſideration the deſerts of the Lieutenant General*; which with all ſlaviſh diligence was preſently done. And the Speaker moved, *that to morrow might be a day of Humiliation to be kept in the Houſe, to humble the ſpirits of the Godly*, much overleavened with the *Scotiſh Victory.*

That

That you may the better underſtand how far they mean to be humbled, *Hugh Peters* the Pulpit-Buffon was one of their Chaplains, who in ſtead of delivering the Oracles of God, delivered the Oracles of the Councel of War to them, talking obſcurely of Accommodation and Moderation, and adviſing them to adjourn till Munday or Tueſday (I think) that the Army might cut out work for theſe Journey-men of theirs; and might work their wills upon the City in the mean time, when no Houſe ſhould be ſitting for the Citizens to addreſs their Complaints to; for in the interim they Garriſoned *Black Friars*, and St. *Pauls*, reforming it from the Church of God, to a Den of Thieves, Stable of Horſes, and Brothel of Whores, and Robbed diverſe Halls in *London* of vaſt ſums of money by the Prerogative Royal of the Saints.

The 11. day of *Decem.* 1648. the ſaid ſecured Members publiſhed a Printed paper, as followeth:

26. A declaration of the ſecured and ſecluded Members, againſt the violence of the Army.

A ſolemn *Proteſtation* of the impriſoned and ſecluded Members of the Commons Houſe: Againſt the horrid Force and Violence of the Officers and Souldiers of the Army, on Wedneſday and Thurſday laſt, the 6. and 7. of *Decem.* 1648.

WE *the Knights, Citizens, and Burgeſſes of the Commons Houſe of Parliament (above one hundred in number) forcibly ſeized upon, violently kept out of the Houſe by the Officers and Souldiers of the Army under* Thomas *Lord* Fairfax, *coming thither to diſcharge our duties on Wedneſday and Thurſday laſt, being the 6. and 7. of this inſtant* December; *do hereby, in our Names, and in the Names of the reſpective Counties, Cities, and Burroughs, for which we ſerve, and of all the Commons of* England, *ſolemnly proteſt and declare to the whole Kingdome; That this execrable force and open violence upon our perſons, and the whole Houſe of Commons, by the Officers and Army under their command, in marching up againſt their command, and placing ſtrong armed Guards of Horſe and Foot upon them, without and againſt their Order, is the higheſt and moſt deteſtable force and breach of Priviledge and Freedome ever offered to any Parliament of* England; *and that all Acts, Ordinances, Votes and proceedings of the ſaid Houſe made ſince the 6. of*

Decemb. *aforeſaid, or hereafter to be made during our reſtraint and forcible ſecluſion from the Houſe, and the continuance of the Armies force upon it, are no way obligatory, but void and null to all intents and purpoſes; And that all Contrivers of, Actors in, and Aſſiſtants to this unparallel'd force, and treaſonable armed violence are open Enemies to, and profeſſed Subverters of the Priviledges, Rights, and Freedome of Parliament, and Diſturbers of the peace and ſettlement of the Kingdome; and ought to be proceeded againſt as ſuch; and that all Members of Parliament, and Commoners of* England, *by their ſolemn Covenant and duty, under pain of deepeſt perjury and eternal infamy, are obliged unanimouſly to oppoſe and endeavour to their utmoſt power to bring them to exemplary and condigne puniſhment for this tranſcendent offence, tending to the diſſolution of the preſent, and ſubverſion of all future Parliaments, and of the fundamental Government and Laws of this Realm.*

All which we held it our duties to declare and publiſh to the world, for fear our ſtupid ſilence ſhould give any tacit conſent or approbation to this moſt deteſtable crime, and make us guilty of betraying the Priviledges, Freedome, and Honour of this Parliament, to our perpetual reproach and the preiudice of all ſucceeding Parliaments.

Dated at *Weſtminſter* Decem. 11. 1648.

27. The tame Lords and inſolent Commons paſs and print a Declaration againſt the ſaid Declaration.

The ſaid ſolemn Proteſtation of the ſecured Members being complained of, was ſufficiently barked at in the Houſe of Commons, and the Lords fell a barking at it too for company; and at laſt (that they might confute it with Authority inſtead of Reaſon) both Houſes paſſed this following Declaration againſt it.

The Declaration of the Lords and Commons: Againſt the firſt Declaration of the ſecured and ſecluded Members.

THe Lords and Commons aſſembled in Parliament, taking into their conſideration a Printed paper, entituled [A ſolemn Proteſtation of the impriſoned and ſecluded Members, &c.] *wherein amongſt other things, it is Declared,* That all Acts, Ordinances, Votes, and proceedings of the Houſe of Commons, made ſince the 6. of this inſtant *Decem.* or hereafter to be made during their reſtraint

reſtraint and forcible ſecluſion from the Houſe, and the continuance of the Armies force upon it, are no way obligatory, but void and null to all intents and purpoſes: *The ſaid Lords and Commons do thereupon judge and declare, the ſaid Printed paper to be falſe, ſcandalous, and ſeditious, and tending to deſtroy the viſible and fundamental Government of this Kingdom: And do therefore order and ordain the ſaid Printed paper to be ſuppreſſed, and that all perſons whatſoever that have had any hand in, or given conſent unto the contriving, framing, printing or publiſhing thereof, ſhall be adjudged, and hereby are adjudged uncapable to bear any Office, or have any place of Truſt or Authority in this Kingdome, or to ſit as Members of either Houſe of Parliament. And do further order and ordain, that every Member of either Houſe reſpectively now abſent, upon his firſt coming to ſit in that Houſe whereof he is a Member for the manifeſtation of his innocency, ſhall diſavow and diſclaim his having any hand in, or given conſent unto the contriving, framing, Printing or publiſhing of the ſaid paper, or the matter therein contained.*

The preſent viſible Government is the Power of the Sword in the hands of Rebels.

The fundamental Government of this Kingdom is deſtroyed by the Faction remaining in the Houſe of Commons, by their Acts *For aboliſhing Kingly Government, The Houſe of Peers their putting down Trials by Jury of 12 men, and ſetting up illegal High Courts of Juſtice, their uſurping the Supream Authority, their making Treaſon an Arbitrary crime, their erecting a Councel of State*, or *Hogens Mogens*, forty Tyrants in lieu of one King, their altering the ſtile of Writs, and Legal Proceedings, &c. Sentence given before any perſon accuſed, or heard to ſpeak for himſelf. Oh the brutiſh underſtanding of men whoſe ſins and fears have intoxicated their wits.

28. The Conventicle of Commons repeat *ex tempore* in a thin Houſe under a force; the Votes deliberately paſſed in a full and free Houſe.

The 12. and 13. *December*, the Commons (that they might purge their Journal Books of all State-Hereſies, as well as their Houſe of all State-Heretícks) voted this *Index expurgatorius*, which in their own canting language I here preſent to you.

1. Reſolved, &c. *That the Vote of this Houſe*, Jan. 3. 1647. *for revoking the Order*, Sept. 9. 1647. *for ſuſpending Commiſſary* Lionel Copley *from being a Member of this Houſe; is of dangerous conſequence, and tending to the deſtruction of the juſtice and peace of the Kingdome, and is hereby repealed.* The like for the reſt of the Impeached Members, *mutatis mutandis.*

2. Reſolved, &c. *That the Vote of the Houſe*, June 30. 1648. *whereby this Houſe did concur with the Lords (for opening of a way to the Treaty with His Majeſty for a ſafe and well-grounded Peace) That the Votes*, Jan. 3. 1647. *forbidding all Addreſſes to be made*

made to, or from the King, be taken off; was highly diſhonourable to the proceedings of Parliament, and apparently deſtructive to the good of the Kingdome (ſure they meant the Kingdome of the Saints.) They likewiſe by four ſeveral Votes, revived the ſaid four Votes, *Jan.* 3. for no Addreſſes, *in terminis.*

3. *Reſolved*, &c. *That the Vote*, July 28. 1648. *That a Treaty be had in the* Iſle of Wight *with the King in perſon by a Committee appointed by both Houſes, upon the propoſitions preſented to him at* Hampton-Court; *was highly diſhonourable, & apparently deſtructive to the good of the Kingdome.* Good Boyes, they can ſay their Leſſons well, and apace too, when the Army whips them on; they will ſhortly have a Jubilee of Play-days for their pains, forty or fifty new Lights ſnuffed by the Councel of War, can better diſcover what is diſhonourable, and apparently deſtructive to their own Kingdome, than 340 or 244 could do at other times, If you ask what Debates they had? they could have none, being now freed from the contradiction of ſinners: being all Birds of a feather, taught the ſame tune by the ſame Maſters, and ſinging in the ſame Cage.

The Houſe adjourned.

29. A Proteſt. to be entred againſt the Votes, *That the Kings Grants were a ground to a ſettlement*; a Touch-ſtone of *J. Gourdons* See the Order *Dec.* 5. 1648.

Yet the unanimous recalling thoſe Votes was not thought (by thoſe that think one thing, and ſay another) a ſufficient *Teſt* all were confidently for them, that voted with them; wherefore godly *John Gourdon* (a Fellow that ſpits venome as naturally as a Toad) moved, *That a Proteſtation might ſuddenly be drawn up, and every Member to ſet his hand to it, in deteſtation of thoſe repealed Votes.* A Committee was appointed accordingly. The 14. *Decem.* the ſaid new-found *Shiboleth* was brought in by *Gourdon*, which cauſed divers that were not yet mad enough for *Bedlam* to forbear the Houſe, or rather Conventicle.

30. The Militia of the Countie new ſetled in Independent hands.

Decem. 14. They repealed the Ordinance lately paſſed (after mature debate) *for ſetling the County-Militias of the Kingdom*, becauſe there were ſome Presbyterians in it not well-affected to the Army; and in that new ſenſe, Malignants: And ordered, *that a new Ordinance, with a List of New Names*, of Saints Militant (ſounding like a Jewiſh pedigree) *be brought in*; for (through the indiſcretion of the Presbyterians) the Independents have had the cuſtody of our Purſes a long time, and now muſt keep our Swords too, and then, *Stand and deliver*, will be the only Law of the Land.

About

About this time Major General *Brown*, one of the Sheriffs of *London*, was fetched out of the City by a party of Horſe, and carried before the Mechanick Councel of War at *White-hall*, (although a Member of Parliament, and conſequently one of their Maſters) where he told them, *He knew they had nothing to charge him withall, but his honeſt endeavours to preſerve His Majeſty, and His Poſterity, together with the Parliament, City, and Kingdome, with the Laws and Government thereof from being rooted up by them, and that he feared them not.* Col. *Hewſon* (the one-eyed Cobler) was ſo ſawcy as to tell him, *He was too peremptory*; at laſt the commited him priſoner to St. *James's*. 31. Sheriff *Brown* carried away out of the City Priſoner to St. *James's*.

And that he might not want company, they ſent a Warrant to Capt. *Lawrence* Marſhal General, to remove Sir *Will. Waller*, Sir *John Clotworthy*, Major Gen. *Maſſy*, and Commiſſary General *Copley* from the Kings Head to him. 32. Sir *Will. Waller* &c. removed to S. *James's*.

The Marſhal ſhewing them the Warrant, they proteſted againſt the Authority, and offered the Proteſt to the Marſhal in writing, deſiring him to ſhew it to the General; which he refuſing to receive, Sir *Will. Waller* deſired all the company to witneſs what Proteſtation they did make in behalf of themſelves, and all the Free-born people of *England*, againſt the violent and illegal encroachments of the General and Councel of War, againſt the Laws and Liberties, and read it aloud, as followeth: 33. They proteſt againſt the Generals Authority.

A Declaration of the taking away of Sir *Will. Waller*, Sir *John Clotworthy*, Major Gen. *Maſſey*, and Col. *Copley*, Members of the Houſe of Commons, from the Kings Head in the Strand to St. *James's*: Together with their Proteſtation read at their removal; With a Copy of the L. Generals Order for the ſame. Tueſday, *Decem.* 12. 1648.

Marſhal *Laurence* came and acquainted Sir *William Waller*, Sir *John Clotworthy*, Maj. Gen. *Maſſey*, and Mr. *Lionel Copley*, Members of the Houſe of Commons, *That he had Orders from the Lord General and Councel of the Army, to remove them from the other Priſoners to* St. *James's*: They replied to him, *That they deſired to ſee his Orders*: The Marſhal anſwered, *They were only verbal*; but the Gentlemen inſiſting to ſee a Warrant for their remove;

remove; the Marſhal went to the General, and from him about ſix a clock brought an Order; a true Copy of which follows *Viz.*

YOn are upon ſight hereof, to remove Sir Wil. Waller *Sir* John Clotworthy, *Major General* Maſſey, *and Col.* Copley, *from the Kings-head Inne (where they are now in cuſtody) to St.* James's: *And for ſo doing this ſhall be your Warrant.*

Given under my hand, *Decem.* 12. 1648.

Marſhal General Lawrence.

Tho. Fairfax.

This Order being ſhewed unto the foreſaid Gentlemen, Sir *Will. Waller* produced a Paper, deſiring that the ſame might be preſented to the General; which Marſhal *Lawrence* refuſed to receive: Upon which, the ſaid Sir *William Waller*, and the other three Gentlemen, deſired the ſaid Marſhal and all the Gentlemen there preſent to attend and witneſs to that Proteſtation, which they did there make in behalf of themſelves, and all the Commons and Free-born Subjects of *England*, ſo with a diſtinct and audible voice read their Proteſtation, as followeth:

WE whoſe Names are hereunto ſubſcribed, being Members of the Houſe of Commons, and Freemen of England, *do hereby declare and proteſt before God, Angels and Men, That the General and Officers of the Army, being raiſed by the Authority of Parliament, and for defence and maintenance of the Priviledges thereof, have not, or ought to have any power or juriſdiction to apprehend, ſecure, detain, impriſon, or remove our perſons from place to place by any colour or Authority whatſoever; nor yet to queſtion or try us, or any of us by Martial Law, or otherwiſe for any offence or crime whatſoever, which can or ſhall be objected againſt us: And that the preſent Impriſonment and removal of our perſons is a high violation of the Rights and Priviledges of Parliament, and of the Fundamental*

Fundamental Laws of the Land, and a higher uſurpation and exerciſe of an Arbitrary and unlawfull power, than hath been heretofore pretended to, or attempted by this or any King or other power whatſoever within this Realm; notwithſtanding which, We and every of us do Declare our readineſs to ſubmit our ſelves to the Legal trial of a Free Parliament, for any Crime or miſdemeanour that can, or ſhall be objected againſt us.

In witneſs whereof, we have hereto ſubſcribed our Naſhes the 12. of *December*, 1648.

At the *Kings-head* in the *Strand*. *William Waller*, *Edward Maſſey*, *John Clotworthy*, *Lionel Copley*.

34. Four ſecured Members diſcharged.

About this time, Mr. *Pelham*, Mr. *Lane*, Mr. *Vaughan*, Sir *Simon Dewes*, (Members ſecured) were ſet at liberty without any engagement, although at firſt it was demanded *they ſhould engage not to attempt any thing againſt the preſent actings of this Parliament and Army*; which they refuſed.

35. The Agreement of the People publiſhed and ſwered.

About *Decemb.* 11. 1648. was delivered into the world a monrous Beggers Brat, called [*The Agreement of the People.*] It is very udiciouſly anſwered by Mr. *William Aſhurſt*; all the Contents hereof is in the *Remonſtrance of the Army*, 20. *Nov.* 1648. whereof have ſpoken already.

1. It propoſeth, *That the People* (that is, ſome ſmall part of he People the Army and their faction) without any colour of aw or Right *ſhould agree together to take away finally the preſent Government by King, Lords, and Commons*, which the Kings Party eretofore charged upon the Parliament as their Deſign for hich they fought, whereupon, the Parliament to vindicate hemſelves, publiſhed many Declarations, and paſſed ſundry Votes, *That they would not alter the Government by King, Lords, and Commons*; it alſo takes away the legal right from Burroughs to hooſe Members of Parliament; this admitted, they may as ell conſpire to take away any Law, or any mans Life or Eſtate, y which rule we could enjoy nothing but as the will of any umber of men that ſhall call themſelves *The People*. And upn the ſame ground that thoſe that ſhall ſubſcribe this *Agree-*

ment may call themſelves *the People*, may thoſe that ſhall refuſe to ſubſcribe call themſelves *the People*, and upon far better grounds as being far the more numerous, and ſtanding for defence of thoſe Ancient Laws, which do conſtitute the People and Common-wealth of *England*, which will breed infinite confuſions and diviſions: and what thoſe that call themſelves *the People* now agree to, they may alter upon the next change of humour or intereſt.

2. The inconveniences of the preſent Government have not yet been plainly diſcovered, nor no Trial hath been made by the preſent known legal power of *England*; whether thoſe inconveniences may not be removed without ſubverting the preſent Government, and introducing ſo total a change as will be very dangerous and grievous to all ſorts and conditions of men.

3. In the Proteſtation, *May* 5. 1641. and the Covenant, *Septemb.*27.1643. we are bound to defend Parliaments, and to oppoſe and bring to puniſhment all ſuch as ſhall endeavour the ſubverſion of Parliaments, which this Agreement clearly doth.

4. This Agreement incroacheth deſperately upon the liberty of the People of *England*, in the Election of this Repreſentative; depriving them that have conſtantly adhered to this Parliament as well as the Kings Party (if they cannot in conſcience ſubſcribe it) from Electing, or being Elected; yet they ſhall have Laws and Taxes impoſed upon them by Subſcribers, who are the leaſt, and the leaſt conſiderable party of the Kingdom, and upon whom they confer no truſt; which is to disfranchiſe the Nonſubſcribers, and reduce them to the condition of conquered Slaves. It is a known Maxime in Law, *Quod omnes tangit, ab omnibus tractari debet*, what concerns all men muſt be debated and agreed to by all men, either perſonally or repreſentatively.

5. It will raiſe factions and feuds between the Subſcribers and Non-ſubſcribers of the Parliament party.

6. It takes away Magiſtracy and Government, not onely by placing ſuch a Supreme Power over them as is diſputable; nay, apparently illegal: But by making the heady multitude (*the People*) ſupreme Judges over the ſaid Repreſentative: for although it inflicts the penalty of death upon the reſiſters of their orders;

yet

yet is with this *salvo*, except such Representative shall expressly violate this Agreement, which makes every man or number of men that shall get power into their hands Judges of it, nor is there any other Judge designed: and (if there were) who shall judge that Judge? *& sic in infinitum*, the legal supreme Trust of all publique interests being taken away, our vagaband thoughts wander in a circle, not knowing where to repose our Trust, all Judges, all Councils may erre, but the rascal multitude are the fink of errors and corruptions. If therefore the Supreme, the Representative have so unstable an authority, what shall the subordinate Magistrate acting under them have?

7. It smels so much of the Jesuite, that it tolerateth Popery in private Houses; contrary to the known Laws of the Land: Popery (like the old Serpent) if it once get in the head, will soon insinuate the whole body, being so well backed by Potent Princes and Councils from beyond Sea. And truly I know not what to say against Popery, where Heresie, Schism, Atheism, and Blasphemy are openly tolerated, and exempted from the power of the Civil Magistrate, as in this Agreement.

8. It will lose *Ireland*; the managing of the War there being legally in this Parliament by Act passed, not in this new-angled Representative.

9. It divides us from *Scotland*.

10. It destroyes the Cause for which the Parliament so often Declared, Voted, Protested and Covenanted that they fought, viz. *Defence of Parliament, Religion, Laws and Liberties*, and bestows the cause upon the King, as if He only (from the beginning) had fought for them: which all men have reason to believe, when they shall see the Parliament make such ill use of their Victory, as to root them all up. And this and all other Parliament-Armies were commissioned *to preserve this Parliament*; by this Authority they have their Pay and Indempnity, without which they are Thieves, Rebels, and Murderers.

11. It demands, that there be no Lawyers nor Laws, but new Rules in English to be made from time to time by the new Representative, who are to be chosen and trusted onely by a small faction of Subscribers, (as hath been said) according to which Justice shall be administred, not by Mayors, Sheriffs, Justices of

the peace, Officers alwaies ready, but by hundred Courts, who are to ſupply the roome of all the Judges and Lawyers of the Kingdom: and all this to ly in the breſts of 12 Men in every Hundred (of the Tribe of the Godly be ſure) who peradventure can neither write nor read, nor have reſponſible Eſtates to ſatiſfie wrongs done: theſe ſhall do juſtice by providence and revelation.

12. It deſtroyeth all great and publick Intereſts (and therefore cannot ſtand) Kings, Lords, Souldiers, Magiſtrates, Parliaments, Lawyers, Miniſters, who will oppoſe it, becauſe it confounds and deſtroys Religion, and depriveth the Miniſtery of its lot, Tythes; ſtopping their mouths with famine, purpoſely to caſt them off: and generally all men of quality and diſcretion will withſtand it; becauſe it gives no ſecurity for enjoyment of liberty and property, not for increaſe of learning, civility and piety; who then are left to own and ſubſcribe it but deſperate forlorn Perſons, who, becauſe they cannot bring their actions under the protection of our preſent Laws and Government, will bring the Laws and Government to their own corrupt wills and intereſts, and therefore will ſign this *Agreement*: no obedience being given to this Repreſentative, but upon condition (*that they kept this Agreement*) and their being no other Judges of their keeping it but the Subſcribers; who in the reſult of all, hath the Law in their own Wills.

36. This Agreement of the People was condemned by the Houſe of Commons. 9 *Nov.* 1647.

This *Agreement of the People* is the ſame which was ſubſcribed by 9 Regiments of Horſe, and 7 of Foot, and preſented with a Petition to the Houſe of Commons, *Novemb.* 5. 1647, by the Agitators, *Giffarde* the Jeſuite being then in the *Lobby* with them, and very active therein. Upon reading and debate hereof the Houſe then declared their judgements againſt it, by paſſing theſe Votes:

Die Martis, 9. Nov. 1647.

A Paper directed to the Supreme Authority of the Nation the Commons in Parliament aſſembled, The juſt and earneſt Petition of thoſe whoſe Names are ſubſcribed, in behalfe of themſelves and all the Free-born people of England: *Together with a Paper annexed, intituled, An Agreement of the people for preſent and future peace, upon grounds of Common Right, avowed.* How theſe Papers come now

now to be owned, thoſe that oppoſe them violently ſecured by the Army, by the connivance (at leaſt) of the dregs of the Houſe now ſitting, let the Saints now voting in the Houſe examin their pockets, for (I am confident) their conſciences had no hand in the buſineſſe.

Reſolved, &c. That the matters contained in theſe Papers, are deſtructive to the beings of Parliaments, and to the fundamental Government of the Kingdome.

Reſolved, &c. That a Letter ſhould be ſent to the General, and thoſe Papers incloſed; together with the Vote of this Houſe upon them: and that he be deſired to examine the proceedings of this buſineſſe in the Army, and return an account thereof to this Houſe.

37. The ſaid Agreement damned by the General and Councel of War, and ſhot by ſentence for promoting it.

The General and Councel of War in purſuance of this Vote, condemned one of the Agitators who promoted it, and ſhot him to death at *Ware* (you ſee what it is to do a thing unſeaſonably, this Deſign of the Army and their Party was not yet ripe) wherewith they acquainted the Houſe; yet they kept in the ſame fire in the City ſtill, where ſome of their Confederates, 23. of the ſame *Novem.* ſent the ſame *Agreement*, &c. incloſed in a Letter, with a Petition into the Houſe of Commons: whereupon the Houſe (giving thanks to the General for the execution done at *Ware*, and deſiring him to examine that buſineſſe to the bottom) unanimouſly paſſed theſe Votes:

Die Martis, 23. Nov. 1647.

38. The ſaid Agreement condemned by the Houſe a ſecond time. 23. *Nov.* 1647

A Petition directed *to the Supreme Authority of* England, *the Commons in Parliament aſſembled, and* entituled, *The humble Petition of many Free-born People of England*, ſent in a Letter directed to Mr. Speaker, and opened by a Committee thereunto appointed, was read the firſt and ſecond time.

Reſolved, &c. That this Petition is a ſeditious and contemptuous avowing and proſecution of a former Petition and Paper annexed, ſtiled, An Agreement of the People, formerly adjudged by this Houſe to be deſtructive to the being of Parliaments, and fundamentall Government of the Kingdome, &c.

Reſolved, &c. That Tho. Prince, *Cheeſe-monger, and* Sam. Chidley, *be forthwith committed priſoners to the priſon of the* Gate houſe, *there to remain priſoners during the pleaſure of this Houſe, for a ſeditious and contemptuous avowing and proſecution of a former petition*

Petition and Paper annexed, ſtiled, An Agreement of the People, formerly adjudged by this Houſe deſtructive to the being of Parliaments, and fundamental Government of the Kingdom.

Reſolved, &c. That Jeremy Ives, Tho. Taylor, *and* Will. Larner, *be forthwith committed Priſoners to the Priſon at* Newgate, *&c. as laſt aforeſaid, in Terminis.*

Afterwards by an Ordinance, *Decemb.* 17. 1647. *for Electing Common-Council-men, and other Officers in London,* they expreſly ordained, *That no Perſon who hath contrived, abetted, perſwaded, or entred into that engagement, entituled,* [*The Agreement of the People,*] *declared to be deſtructive to the being of Parliaments, and fundamental Government of the Kingdom; be elected, choſen, or put into the Office of the Lord Mayor of the City of* London, *Sheriff, Alderman, Deputy of a Ward, or Common-Council-man of the ſaid City; or ſhall have any voice in the election of any ſuch Officers, for the ſpace of one whole year; and be uncapable of any of the ſaid places:* yet now theſe petty Fellows keep the whole City in awe.

37. Yet this Agreement ſince inſerted into the Remonſtrance of the Army, owned by the General and Council of War, and *Novemb.* 20. 1648. obtruded upon the Houſe.

Theſe multiplied Votes and Ordinance, laid this *Agreement of the People* aſleep until the beginning of *November*, 1648. when (to hinder the peace of this Kingdom, and relief of *Ireland*) the Jeſuits and Agitators proſecuted it again in the Army, and inſerted it again *verbatim* in the *Remonſtrance of the Army, Novemb.* 20. 1648. *to break off the Treaty with the King, bring him to capital puniſhment, and caſt the odium of all upon the Parliament:* And the General and his Council of Officers (though they had formerly ſhot a Souldier to death for proſecuting it) unanimouſly approved it at Saint *Albons, November* 16. 1648. and obtruded it upon the Houſe the 20 *Novemb.* and when they found the Houſe ſo reſolute in the Treaty as to proceed, they firſt ſeized the Perſon of the King, and carried Him to *Hurſt-Caſtle*, as aforeſaid; and when the Houſe at laſt cloſed up the Treaty with this Vote, *That the Kings Anſwers to the Propoſitions of both Houſes were a ground for the Houſes to proceed upon towards a ſettlement:* They ſeized upon 41 Members of Parliament, ſecured them, and villanouſly treated them, ſecluded above 160, and frighted away at leaſt 40 or 50 more, leaving onely their own *Somerſet-houſe* Junto of 40 or 50 thriving Members ſitting

40. Why they purged the Houſe.

to

to unvote in a thin Houſe under a force, what had been voted in a full and free Houſe. To vote down the Kingly Office and Houſe of Peers, to vote the Supreme Authority to be in the People, and in the Houſe of Commons as their Repreſentative, clean contrary to their three laſt recited Votes. To bring the King to capital punishment, before a new invented, illegal, mixed Court, (conſiſting of engaged perſons) erected for that purpoſe, that hath neither foundation by Preſcription nor Law, and to erect a Council or Committee of States, out of their number (in the nature of Lords, States General, or Hogen Mogens) with an unknown and therefore unlimited Authority, to continue in being after the diſſolution of this Parliament. So farewell Kings, Lords and Commons, Religion, Laws and Liberties, and all Votes, Declarations, Remonſtrances, Proteſtation and Covenant, made heretofore onely to gull the People, and carry on their deſign.

About 19 *Decemb.* divers Lords went to do homage to the General, to expreſs their good affections to him, and their concurrence with him for the Common good, and their readineſs to wave their Priviledges and Titles if they ſhall be found burdenſome to the liberty of the People, and had a gracious nod for their pains.

Divers Lords do homage to the General and wave their honors

About this time the Lords and Commons paſſed an Ordinance *for electing Common-Council-men and Officers in* London *for the year following*, to this effect, *That no Perſon that hath been impriſoned or ſequeſtred* (rightfully or wrongfully) *or hath aſſiſted the King againſt the Parliament in the firſt or ſecond War, or hath been aiding or aſſiſting in bringing in the Scots Army to invade this Kingdom, or did ſubſcribe or abett the treaſonable Engagement*, 1647. *or that did aid, aſſiſt, or abett the late Tumult within the Cities of* London *and* Weſtminſter, *or the Counties of* Kent, Eſſex, Middleſex, *or* Surrey, *ſhall be elected, choſen, or put into the Office or Place of Lord Mayor of* London, *Alderman, Aldermans Deputy, Common-Council-man, or into any Office or place of Truſt within the City, for the year enſuing, or be capable to give his voice for chooſing any Perſon to any the Offices aforeſaid. And that if any Perſons comprehended under the aforeſaid exceptions being choſen, ſhall preſume to ſit in the Court of Aldermen, Common-Council, or execute any of the*

42. An Ordinance to curb the City in electing Officers

the aforesaid Offices, he shall forfeit 200l. *And all such Elections to be null and void; the Lord Mayor to take order that this Ordinance be read at all Elections, and punctually observed; and also to afford the liberty of the Pole, it being required by any of the Electors present.* But this Ordinance not giving full satisfaction to the Zealots, *Skippon* stood up, and looking as demurely as if he meant to say Grace, he told the House, *That the late Ordinance was not sufficient to keep Malignants out of Office in* London, *for Mr. Speaker* (said he) *It is not enough to exclude Delinquents, or the Abettors of the late Insurrections, &c. for there are a more dangerous sort of men amongst them: They which promoted the Treaty, and endeavoured to have the King brought to* London, *except these be made incapable of Authority, it will be a great discouragement to the Godly party of the City.* So an additional Ordinance to this end was ordered to be brought in, you see to endeavour peace and settlement, is accounted by these Saints militant a sufficient crime to forfeit a mans Birth-right.

Skippon moveth for an Addition to the said Ordinance.

43. I formerly told you of *John Gourdons* motion, *That all Members might subscribe a Protestation against the Votes for a Treaty with the King in the* Isle of Wight, *and especially against the Vote,* 5. December. 1648. which declareth, *That His Majesties Answers to the Propositions of both Houses were a ground for the two Houses to proceed to a settlement;* and untill such dissent or disapproval to forbear the House; This was done in obedience to the demands of the Army in their *Remonstrance* presented 20. *Novem.* 1648. And although it be so clearly against the Orders and Priviledges of Parliament, that divers Members formerly (and some this Parliament) have been suspended the House, and committed to the Tower for offering it, because it tends to breed factions and divisions in the House, and Tumults without doors; yet every request from an Armed man is a Command, and must be obeyed.

The Members subscribe *John Gourdons* Protestation, sect. 29.

Sect. 23.

The *List* of the Names of these new Protestants followeth, and (it is hoped) they will in time give better Reasons then (*the power of the Sword*) for it, 20. *Decem.* 1648. subscribed, The Lord *Lysle*, Col. *Boswel*, *Jo. Gourdon*, Lord *Gray*, *Peregrine Pelham*, Col. *Jones*, Col. *Temple*, Col. *Ven*, Sir *Tho. Malevourer*, Sir *Thomas Wrothe*, Sir *Jo. Bourcher*, Col. *Peter Temple*, *Humphry Edwards*, (who waited on the King to the House when he demanded the

5 Mem-

5 Members, and his Election is adjudged void by a Committee) Mr. *Tho. Chaloner*, Sir *Gregory Norton* (who gave 2 man 20 l. to wait on the King in his place as Penſioner when He demanded the five Members) *Michael Oldſworth*, *Auguſtine Garland*, Sir *Jo. Danvers*, Mr. *Dove*, Mr. *Henry Smith*, Mr. *Frye* (whoſe Election is voted void) Mr. *Searle*, *Nich. Love*, *John. Lyſle*, Col. *Rigby*, *Cornelius Holland*, Col. *Ludlow*, *Greg. Clement*, Col. *Purefoy*, Col. *Stapeley*, Mr. *Dunch*, Mr. *Cawley*, Col. *Downes*, *Jo. Carey*, *Jo. Blackiston*, *Tho. Scot*, Decem. 22. Col. *Hutchinſon*, Sir *Hen. Mildmay*, Sir *James Harrington*, Decem. 25. Col. *Edward Harvey*, Alderman *Pennington*, Alderman *Atkins*, *Dan. Blagrave* (voted out of the Houſe) Col. *Moore*, Col. *Millington*, Mr. *Prideaux*, *Roger Hill* the little Lawyer, *Dennis Bond*, Col. *Harrington*, Maſter *Hodges*, Maſter *Valentine*.

44. Sixteen imprisoned Members discharged without engagement.

Sixteen of the impriſoned Members were about this time ſent for by the General; when they came, out came *Ireton*, and finding Mr. *Pryn* amongſt them, he chid the Martial for bringing him, and commanded him to be taken away; but Mr. *Pryn* refuſing to depart, *Ireton* commanded him to be thruſt out by head and ſhoulders; whereupon Mr. *Pryn* openly proteſted, *That the Army endeavoured utterly to ſubvert the fundamental Laws of the Land, and Priviledge of Parliament; That they had no power over him, nor any Member of Parliament; That their late force acted upon them, and their proceedings was illegal, and traiterous; That all men were bound to bring them to condign puniſhment as Rebels and Traitours to their God, their King, Country and Parliament.* So Mr. *Pryn* was removed by the Martial, and *Ireton* went in once more to conſult the Oracle, and at laſt came out again to the Gent. telling them, *It was the Generals pleaſure they ſhould be all releaſed, attempting nothing againſt the actings of this preſent Parliament and Army, but* (ſaid the inſolent fellow) *Let that be at your peril*; ſo the Gentlemen expreſſing *that they would give no engagement*, were releaſed without any.

45. A Mock-Faſt kept by the two Houſes, and *Hugh Peters* Comick Sermon.

The 22. *Decem.* both Juntoes of four Lords, and twenty Commons, kept a Mock-faſt at Saint *Margarets Weſtminſter*; Where *Hugh Peters* the Pulpit-Buffon, acted a Sermon before them, the ſubject of his Sermon was, *Moſes leading the* Iſraelites *out of Egypt*, which he applied to the *Leaders* of this *Army*,

whoſe deſign is *to lead the people out of Ægyptian bondage: But how muſt this be done? that is not yet revealed unto me* (quoth *Hugh*) and then covering his eyes with his hands, and laying down his head on the cuſhion, untill the people falling into a laughter, awakened him; he ſtarted up, and cryed out, *Now I have it by Revelation, now I ſhall tell you, This Army muſt root up Monarchy, not only here, but in* France, *and other Kingdoms round about; this is to bring you out of* Ægypt: *This Army is that corner ſtone cut out of the Mountain, which muſt daſh the powers of the earth to pieces.* But it is objected, *The way we walk in is without preſident; what think you of the Virgin* Mary? *was there ever any preſident before, that a Woman ſhould conceive a Childe without the company of a Man? this is an Age to make examples and preſidents in.*

46. The Councel of War vote a Toleration till Religions.

Decemb. 25. The Councel of War voted a *Tolleration of all Religions*; you ſee they vote like States-men, as well as their Parliament.

47. The Common Councel petion againſt *Skipons* additional Ordinance in vain.

About this time, a Committee of Common-Councel-men came complaining to the Houſe of *Skippons* additional Ordinance, *That none ſhould Elect or be Elected, or execute the place of Lord Mayor, Alderman, Aldermans Deputy, Common-Councelman, &c. that had ſigned the Petition for a Perſonal Treaty, &c.* becauſe they found the City generally ingaged in the ſaid Petition; ſo that they could not finde men enough to Elect, or be Elected: Whereupon it was referred to a Cummittee to think of a remedy worſe than the diſeaſe, as it proved afterwards You ſee the petitioning for a *Perſonal Treaty* was ſo univerſal and publick that it could not be carried on by any private deſign in Conventicles and corners; as are all the bloody *Petitions for juſtice, juſtice againſt capital Delinquents, and the moſt High*, which being penned and ſolicited by the Army, or ſectary Committee-men, and ſubſcribed and proſecuted by ſome few beggerly Schiſmaticks without Cloaks in the *Names of whole Counties* (whom they had the impudence to belie) were entertained in ſtate; and they, and that wel-affected County (though they abhorred the villany) thanked for their pains.

* 48. *Somerſetſhire* incouraged by the Houſe to aſſociate all the well-affected, *i.e.* all the Anariſts and Sectaries.

* 25. *Decem.* The Houſe voted a Letter to be ſent by way of encouragement to the County of *Somerſet*, *to go on with ſettling* their

their aſſociation with the well-affected, and forces of the Counties adjacent; this is to aſſociate and arm all the Schiſmaticks, Committee-men, guilty and deſperate perſons, Antimonarchiſts, and Anarchiſts, againſt all the peaceable and honeſt men of the Kingdome.

26. Decem. Mr. *Pryn* ſent a Letter to the General, demanding his liberty, and ſeconded it with a Declaration, as followeth: 49. Mr. *Pryns* Letter to the General, demanding his liberty.

Mr. *Pryn's* Demand of his Liberty to the Generall, *Decem.* 26. 1648. with his Anſwer thereto. And his Declaration thereupon.

For the Honourable Lord Fairfax, *Generall of the preſent Army.*

THeſe are to acquaint your Lordſhip, That I being a Member of the Commons Houſe of Parliament, a Free-man of *England*, a great Sufferer for, and an Aſſertor of the Subjects liberties againſt all Regal and Prelatical tyranny, and no way ſubject to your own, your Councel of Wars, or Officers military power or juriſdiction, going to the Houſe to diſcharge my duty on the 6. of this inſtant *Decem.* was on the ſtairs next the Commons Houſe door, forcibly kept back from entring the houſe, ſeized on, and carried away thence (without any pretext of lawful Authority thereto aſſigned) by Colonel *Pride*, and other Officers and Souldiers of the Army under your Command. And notwithſtanding the Houſes demand of my enlargement both by their Sergeant and otherwiſe; ever ſince unjuſtly detained under your Marſhals cuſtody, and toſſed from place to place, contrary to the known Priviledges of Parliament, the Liberty of the Subject, and fundamental Laws of the Land, which you are engaged to maintain againſt all violation. And therefore do hereby demand from your Lordſhip my preſent enlargement, and juſt liberty, with your Anſwer hereunto. 50. Mr. *Pryns* Declaration ſeconding his ſaid Letter.

From the Kings-head *in the* Strand,
Decem. 26. 1648. *Willam Pryn.*

This was delivered to the Generals own hands at his Houſe in *Queen-ſtreet*, about three of the clock, the ſame day it bears

date, by Dr. *Bastwick*; Who returned this Answer by him, upon the reading thereof:

THat he knew not but Mr. Pryn *was already released, and that he would send to his Officers to know what they had against him.*

Who it seems act all things without his privity, and steer all the Armies present counsels and designs according to their absolute wills.

The Publick Declaration and Protestation of *William Pryn* of *Linolns-Inne*, Esquire; Against his present Restraint, and the present destructive Councels, and Jesuitical proceedings of the Generall, Officers, and Army.

I William Pryn, *a Member of the House of Commons, and Freeman of* England, *who have formerly suffered 8 years Imprisonment (four of them close, three in exile) three Pillories, the loss of my Ears, Calling, Estate, for the vindicating of the Subjects just Rights, and Liberties against the arbitrary tyranny and injustice of King and Prelats, and defence of the Protestant Religion here established, spent most of my strength and studies in asserting the Peoples just freedom, and the power and priviledges of Parliament, against all Opposers, and never received one farthing (by way of damages, gift, or recompence) or the smallest benefit or preferment whatsoever, for all my sufferings and publick services; Do here solemnly declare before the most just and righteous God of Heaven and Earth (the Searcher of all hearts) the whole Kingdom,* English *Nation, and the World, that having according to the best of my skill and judgement, faithfully discharged my trust and duty in the Commons House upon real grounds of Religion, Conscience, Justice, Law, Prudence, and right reason, for the speedy and effectual settlement of the peace and safety of our three distracted, bleeding, dying Kingdoms, on Monday* Dec. *4. I was on Wednesday morning following (the 6 of this instant) going to the House to discharge my duty, on the Parliament stairs next the Commons door, forcibly seized upon by C. l.* Pride, *Sir* Hardress Waller, *and other Officers of the Army (who had then beset the House with strong Guards, and whole Reg. of Horse and Foot) haled violently thence into Queens Court, notwithstanding my Protestation of*

breach

breach of priviledge, both as a Member and a Freeman, by a meer usurped tyrannical power, without any lawful Authority, or cause assigned, and there forcibly detained Prisoner (with other Members there restrained by them) notwithstanding the Houses double demand of my present enlargement to attend its service by the Sergeant, and that night (contrary to faith and promise) carried Prisoner to Hell, *and there shut up all night (with 40 other Members) without any lodging or any other accommodations, contrary to the known Priviledges of Parl. the fundamental Laws of the Realm, and Liberty of the subject, which both Houses, the 3 Kingdoms, the General with all Officers and Souldiers of the Army, are by solemn Covenant and duty obliged inviolably to maintain. Since which I have, without any lawful power or authority been removed and kept prisoner in several places, put to great expences, debarr'd the liberty of my person, calling; and denied that hereditary freedome which belongs to me of right, both as a Freeman, a Member, an eminent sufferer for the publick, and a Christian, by these who have not the least shadow of authority or justice to restrain me, and never yet objected the least cause for this my unjust restraint.*

I do therefore hereby publickly protest against all these their proceedings, as the highest usurpation of an arbitrary and tyrannical power, the greatest breach of faith, trust, Covenant, priviledges of Parl. and most dangerous encroachment on the Subjects liberties and Laws of the Land, ever practised in this Kingdom by any King or Tyrant, especially by pretended Saints, who hold forth nothing but justice, righteousness, liberty of conscience, and publick freedom in all their Remonstrances, whiles they are triumphantly trampling them all under their armed iron feet. And do further hereby appeal to, & summon them, before all the Tribunals and powers in heaven and earth for exemplary justice against them, who cry out so much for it against others less tyrannical, oppressive, unjust, and fedifragus to God and men than themselves. And do moreover remonstrate, that all their present exorbitant actings against the King, Parl. present Government, and their new modeld representative, are nothing else but the designs & projects of Jesuits, Popish Priests and Recusants (who bear chief sway in their Councels (to destroy and subvert our Religion, Laws, Liberties, Government, Magistracy, Ministry, the present and all future Parl. the King, his Posterity, and our 3 Kingdoms, yea, the General, Officers,

and

and Army themſelves, and that with ſpeedy and inevitable certainty, to betray them all to our forreign Popiſh Enemies, and give a juſt occaſion to the Prince and Duke, now in the Papiſts power, to alter their Religion, and engage them and all forreign Princes and Eſtates to exert all their power to ſuppreſs and extirpate the Proteſtant Religion and Profeſſors of it through all the world, which theſe unchriſtian, ſcandalous, treacherous, rebellious, tyrannical, Jeſuitical, diſloyal, bloody preſent Councels, and exorbitances of this Army of Saints, ſo much pretending to piety and juſtice, have ſo deeply wounded, ſcandalized, and rendred deteſtable to all pious, carnal aad moral men of all conditions. All which I am, and ſhall alwayes be ready to make good before God, Angels, Men, and our whole three Kingdoms in a free and full Parliament, upon all juſt occaſions? and ſeal the truth of it with the laſt drop of my deareſt blood.

In witneſs whereof, I have hereunto ſubſcribed my Name; at the Sign of the *Kings-head* in the *Stand*, *Decem.*26.1648.

William Pryn.

51. The Counce of War forbi ill ſtate and d ceremony to he King. From *Dec.*25 o 1. *Jan.* Num.283.

27. *Decem.* The Councel of War (who manage the buſineſs in relation to the King, ſaith the *Diurnal*) ordered, *That all ſtate and ceremony ſhould be forborn to the King, and his Attendants leſſened*, to mortifie Him by degrees, and work Him to their deſires.

52. Cromwels Sp. n the Houſe when it was firſt propoun- led to try the King.

When it was firſt moved in the Houſe of Commons to proceed capitally againſt the King, *Cromwel* ſtood up and told them, *That if any man moved this upon deſign, he ſhould think him the greateſt Traytor in the world, but ſince providence and neceſſity had caſt them upon it, he ſhould pray God to bleſs their Councels, though he were not provided on the ſudden to give them counſel*: This bleſſing of his, proved a curſe to the King.

53. The Ordi- nance for ele- cting Com. Councel-men confirmed.

28. *Decem.* was brought into and read in the Houſe an Ordinance, explaining the former Ordinance for Electing Common-Councel-men, which confirmed the former Ordinance. It was referred back again to the ſaid Committee to conſider of taking away the illegal (as they pleaſe to miſcall them) Oaths of Allegiance, Supremacy, and other Oaths uſually adminiſtred to Officers, Free-men, &c. of the City.

The

The 28. *Decem. Tho. Scot* brought in the Ordinance for Trial of the King, it was read and recommitted three ſeveral times, and the Commiſſioners Names inſerted conſiſting of diverſe Lords, Commons, Aldermen, Citizens, Country Gentlemen, and Souldiers (that the more perſons of all ſorts might be engaged in ſo damnable and treaſonable a deſign) and becauſe this Ordinance, and the proceedings thereupon had no foundation in Divinity, Law, Reaſon, nor Practice: The Commons to give it a foundation and ground from the authority of their Votes, declared as followeth:

54. The Ordinance for Trial of His Majeſty paſſed the Commons.

Reſolved, *&c. That the Lords and Commons aſſembled in Parliament, do declare and adjudge, That by the fundamental Laws of the Realm, it is Treaſon in the King of* England *for the time to come to levy War againſt the Parliament and Kingdome of* England.

Diurnal from 1. *Jan.* to the 8. of *Jan.* 1648 Numb. 286.

So together with this declaratory Vote the ſaid Ordinance was carried up to the Lords by that Renegado Lord *Gray* of *Grooby*, *Jan.* 2. 1648. The Lords met that day far more than ordinary, ſixteeen in number, and promiſing to ſend an Anſwer by Meſſengers of their own.

55. And ſent up to the Lords.

The firſt Queſtion ſtarted by ſome Lords (who had rather have had a thinner Houſe) was, *Whether it ſhould be preſently debated?* which paſſed Affirmatively. The firſt Debate was upon the ſaid Declaratory Vote; The Earle of *Manchester* told them, *The Parliament of* England, *by the fundamental Laws of* England, *conſiſted of three Eſtates*, 1. *King*, 2. *Lords*, 3. *Commons*; *the King is the firſt and chief Eſtate, He calls and diſſolves Parliaments, and confirms all their Acts; and without him there can be no Parliament, therefore it is abſurd to ſay, The King can be a Traitour againſt the Parliament.* The Earle of *Northumberland* ſaid, *The greateſt part* (at leaſt twenty to one) *of the people of* England, *were not yet ſatisfied, whether the King levied War firſt againſt the Houſes, or the Houſes againſt Him? And if the King did levie War firſt againſt the Houſes, we have no Law to make it Treaſon in Him ſo to do: And for us to declare Treaſon by an Ordinance, when the matter of fact is not yet proved, nor any Law extant to judge it by, is very unreaſonable:* So the Lords caſt off the Debate, and caſt out the Ordinance, and adjourned for ſeven dayes.

56. And Debated.

57. The Zealots of the H. of Com. offended wit hthe Lords for caſting forth the Ordin. for Trial of the King.

Jan. 3. The zealots of the Commons were very angry at the Lords,

Lords, and threatned to clap a Pad-lock on the Door of their House; but at last they sent up some of their Members to examine the Lords Book, and see what they have done, who brought word back, *that their Lordships had passed two Votes; 1. That they do not concur to the said Declaratory Vote. 2. That they had rejected the Ordinance for Trial of the King.*

58. Votes passed by them thereupon.

Hereupon, the Commons resolved to rid their hands of King and Lords together; and presently they voted, *That all Members of the House of Commons, and others appointed by order of that House, or Ordinances of both Houses of Parliament, to act in any Ordinance wherein the Lords are joyned, shall be impowred and enjoyned to sit, and act, and execute in the said several Committees of themselves, notwithstanding the House of Peers joyn not with them therein.* Upon the debate many hot-brain'd men insisted upon it, *That the Lords who rejected the Ordinance should be themselves Impeached for favouring the Grand Delinquent of* England (you see the King was likely to have much justice, when his Judges must either condemn Him, or be condemned) others thought it more prudence to touch their Priviledges, and let alone their Persons.

Die Jovis, 4. Jan. 1648. The Commons passed these 3. Votes,

A question in Divinity voted in Parliament never agreed to by Divines. This we finde *de facto*, in the subversion of our Religion, Laws, Liberties & Properties, though not *de jure*. You see that since both Houses tavished the Supremacy from the King and a petty Faction from the Houses, our Laws are first shrunk into arbitrary Ordinances of both Houses; and now into Orders of a remaining faction of one House.

1. *That the People* (that is, their own faction, according to their said Principle) *are under God the original of all just power.*

2. *That the Commons of* England *in Parliament assembled, being chosen by, and representing the People, have the Supreme power of this Nation.*

3. *That whatsoever is enacted or declared for Law by the House of Commons assembled in Parliament, hath the force of Law;* and all the people of this Nation are concluded therby, although the consent or concurrence of the King or House of Peers be not had thereunto. This chain-shot sweeps away King, Lords, Laws, Liberties, property, and fundamental Government of this Nation at once; and deposites all that is, or can be near or dear unto us *in scrinio pectoris*, in the bosomes and consciences of 50 or 60 factious covetous Saints, the dregs and lees of the House of Commons, sitting and acting under the power of an Army; and yet the House of Commons never had any Power of Judica-

ture

ture, nor can legally administer an Oath; but this in pursuance of their aforesaid Principle, *That they may passe through any form of Government to carry on their design*: The *Diurnal* tells you, *there was not a Negative Voice*: this shews under what a terror they sit, when in (things so apparently untrue) no man durst say, *No*: so the said Declaratory Vote and Ordinance for Trial of his Majesty (by a Court Martial, if the *Diurnall* speak true, and yet the King no Prisoner of War) was passed onely in the name and by the Authority of the Commons: Notwithstanding, the Order of the House, *That the Clerk should not deliver a Copy of the said Ordinance to any man*, I here present the Reader with a Copy thereof.

*An Act of Parliament of the House of Commons for Tryall of *Charls Stuart* King of *England*.

59. The Act for Trial of the King.

WHereas it is notorious that Charles Stuart *the now King of* England, *was not content with the many incroachments which his Predecessors had made upon the People in their Rights and Freedom, had laid a wicked design to subvert the ancient & fundamental Laws and Liberties of this Nation, and in their place to introduce an Arbitrary and Tyrannical Government, and that besides all evill ways to bring his Design to pass, he hath prosecuted it with fire and sword, levied and maintained a Civil War in the Land, against the Parliament and Kingdom; whereby this Country hath been miserably wasted, the publick treasure exhausted, Trade decayed, thousands of people murdered, and infinite of other mischiefs committed, for all which high offences the said* Charls Stuart *might long since have been brought to exemplary and condign punishment.*

Quare, Whether the Faction do not translate these Crimes from themselves to the King, with many others.

Whereas, also the Parliament well hoping that the restraint and imprisonment of his Person, after it had pleased God to deliver him into their hands, would have quieted the distempers of the Kingdom, did forbear to proceed judicially against him, but found by sad experience that such their remisness served onely to encourage him, and his Complices in the continuance of their evill practices, and raising new Commotions, Rebellions, and invasions: For prevention of the like and greater inconveniencies, and to the end no chief Officer or Magistrate may hereafter presume Traiterously and maliciously

to imagine or contrive the enſlaving or deſtroying of the Engliſh Nation, and to expect impunity. Be it enacted and ordained by the Commons in this preſent Parliament aſſembled, and it is hereby enacted and ordained, that

ſhall be, and are hereby appointed Commiſſioners and Iudges for the hearing, trying, and judging of the ſaid Charles Stuart; *and the ſaid Commiſſioners, or any* 20 *or more of them ſhall be, and are hereby Authorized and conſtituted an High Court of Juſtice, to meet at ſuch convenient times and place as by the ſaid Commiſſioners or the major part, or* 20 *or more of them under their hands and ſeals ſhall be appointed and notified by publick Proclamation in the great Hall, or* Palace-yard *of* Weſtminſter, *and to adjourn from time to time, and from place to place, as the ſaid High Court or the major part thereof meeting ſhall hold fit, and to take order for the charging of him the ſaid* Charles Stuart *with the Crimes above mentioned, and for the receiving his*

Personal Answer thereunto, and for examination of Witnesses upon oath (if need be) concerning the same; and thereupon or in default of such Answer to proceed to final Sentence according to Justice, and the merit of the Cause to be executed speedily and impartially. And the said Court is hereby Authorized and required to chuse and appoint all such Officers, Attendants, and other circumstances as they, or the major part of them shall in any sort judge necessary or useful for the orderly and good managing of the Premises; and Thomas *Lord* Fairfax * *the General, with all Officers of justice, and other wel-affected Persons are hereby authorized and required to be aiding and assisting unto the said Commissioners in the due execution of the trust hereby committed unto them, provided that this Ordinance, and the Authority hereby granted do continue for the space of one Month from the Date of the making hereof, and no longer.*

These wise men of *Gotham* could not tell whether Witnesses upon oath were necessary upon Trials of life & death. But (I confess) that upon the defensive part, upon Indictments, Witnesses upon oath were not to be heard against the King, much more Accusers of the King. * The General is no Officer of justice. All well-affected Persons tag and rag invited to assist in a Tumultuary way to destroy the King, if need had been, that is, all Antimonarchists.

60. A new Great Seal to be made.

But at last they stumbled at a rub not foreseen; they could not use the old Great Seal against Him, because it was the Kings Great Seal (no more could they use any of our Laws, Courts, or Judges against Him, because they are all the Kings) the Sculpture upon it is *Carolus Dei Gratia*, neither would the Grace of God square with their poceedings, they must therefore make a new Great Seal; but that was long a making, and their fingers were in the fire, they therefore proceeded without any Commission under Seal, only upon the said Ordinance, and every missioner set his own hand and seal to the publick instruments of their proceedings; what need ceremonies when men are resolved upon the substance?

61. The Jews petition the Council of War to have the Stat. of their banishment repealed.

About this time the Hebrew Jews presented a Petition to the uncircumcised Jews of the Council of War, *That the Statute of Banishment against them may be repealed, and they re-admitted to a Synagogue and Trade amongst us*: They offer for their re-admission, S. *Pauls* Church, and the Library at *Oxford*, 500000 l. but 700000 l. demanded: *Hugh Peters* and *Harry Martin* solicite the business. Upon this occasion was published this Paper ensuing.

The

* The last damnable Design of *Cromwel* and *Ireton*, and their Junto or Cabal; intended to be carried on in their General Councel of the Army, and by their Journey-men in the House of Commons, when they have engaged them desperately in sin, past all hope of Retreat by murthering the King.

62. A Paper published upon occasion of the Jews Petition.

Major White, *a Member of the Army, long since at* Putney *foretold, That shortly there would be no other power in* England, *but the power of the Sword; and* Will. Sedgwick *in his Book called* [Justice upon the Armies Remonstrance] *saith, The Principle of this Army is, to break the Powers of the Earth to peeces; and* John Lilburn *in his* [Plea for Common Right] *p.* 6. *saith, The Army by these extraordinary proceedings, have overturned all the visible Supreme Authority of this Nation, that is, they have, and will, by seizing upon the Members of Parl. dissolving it, and setting up a new invented Representative, and bringing the King to capital punishment, and dis-inheriting his Posterity, subvert the Monarchical Government, and Parliaments of this Kingdome, the Laws and Liberties of the People, and so by bringing all to Anarchy and confusion, put the whole Government of the Land under the Arbitrary power of the Sword.*

In order to which, they have, and will overturn the Government of the City of London *by a Lord Mayor and Aldermen, and govern it by Commissioners, and a Schismatical Common Councel of* Anabaptists *illegally chosen, and deprive them of their Charter of Incorporation and Franchises; and this shall be a leading case to all the Corporations of* England.

Their next Design is, to plunder, and disarm the City of London, *and all the Country round about; thereby to disable them to rise when the Army removes, but not to the use of the Souldiers (although they greedily expect the first Week in* February *the time appointed) from whom they will redeem the plunder at an easie rate; and so sell it in bulk to the* Jews, *whom they have lately admitted to set up their Banks and Magazines of Trade amongst us, contrary to an Act of Parliament for their banishment; and these shall be their Merchants to buy off for ready money (to maintain such Wars as their violent pro-*

proceedings will inevitably bring upon them)*not only all ſequeſtred a*
plundred goods,but alſo the very bodies of Men,Women,andChildr
wholeFamilies taken Priſoners for ſale,of whom theſe Jewiſh Merchai
ſhall keep a conſtant traffick with the Turks, Moors, *and other M*
hometans; the Barbadus,*and other Engliſh Plantations being alrea*
eloyed with Welſh,Scottiſh, Colcheſter, *and other Priſoners impoſ*
by way of Sale upon the Aventurers; and this is the meaning of Hug
Peters *threat to the* London *Miniſters, That if another War follo*
ed, they will ſpare neither Man, Woman, nor Child: For the bett
carrying on of which Deſign, the ſaid Cabal, or Junto, keep a ſtri
correſpondency with Owen Roe Oneale, *the bloody,Popiſh, Antim*
narchical Rebel in Ireland, *and the Popes Nuntio there. The Ant*
monarchical Marqueſs of Argyle *in* Scotland;*the* Pariſian,Norma
and Picardy, *Rebels in* France, *and the Rebel King of* Portug
If danger be not held ſo cloſe to your eyes that you cannot diſcern i
look about you Engliſh. *But this Kingdome is not to be ſaved by m*
that will ſave themſelves nothing but a private hand, and a publi
ſpirit can redeem it.

63. Mr. *Pryns* ſecond Letter to the General.

The 3. *Jan.* 1648. Maſter *Pryn* ſent a Letter to the Genera demanding what kinde of Priſoner, and whoſe he was? as fo loweth:

* *To the Honourable,* Thomas *Lord* Fairfax, *General of theſe preſent Army. the preſent.*

My Lord,

IT is now a full Months ſpace ſince I (with other Members the Commons Houſe) have been forcibly apprehended a kept Priſoner by ſome of your Officers and Marſhal, againſt t Priviledges of Parliament, the Liberty of the Subject,the La and Statutes of the Realm, and all Rules of juſtice,conſcien and right reaſon; without the leaſt ſhadow of Authority,or a cauſe at all yet made known to me,of which (were there an neither God nor man,ever yet made your Lordſhip or your C ficers, Judges. I therefore deſire to know from your Lordſh what kinde of Priſoner I am?and whoſe? If a Priſoner of pea

neit

neither your Lordſhip, nor your Officers are any Juſtices of Peace, or Civill Magiſtrates in this place, to reſtrain me for any civill crime were I guilty of it; much leſs without proof or hearing, in caſe I were no Member: but being neither guilty nor accuſed of any ſuch crime, and a Member too, no Magiſtrate can, nor ought to impriſon me upon any pretext, at leaſt without the Houſes licence firſt obtained. If a Priſoner of War, which I cannot probably be, being never in Arms, and apprehended near the Commons Houſe door, going peaceably and unarmed thither to diſcharge my duty; then you, and your Officers thereby acknowledge, That you have levied War againſt the Parliament, and its Members: and what capital offence this is, and what a puniſhment it deſerves, I need not inform your Lordſhip, or your Councel, who have for this very crime, condemned and ſhot ſome to death, as Traytors; and demanded ſpeedy juſtice and execution for it upon the King himſelf.

I have but one thing more to trouble your Lordſhip with, and that is to demand whoſe Priſoner I am? having yet ſeen no Warrant nor Order from your ſelf, or your Officers, for my reſtaint, though I have oft demanded it of your Marſhal: If your Lordſhips Priſoner, there appearing yet no legall Authority, cauſe, or Warrant, for my reſtraint; I muſt then crave ſo much juſtice from your Lordſhip (being but a Subject, and not yet paramount all Laws) to order your Autourney to give an appearance for you in the *Kings Bench*, the firſt return of the next Tearm, to an action of falſe impriſonment, for this my unjuſt reſtraint; which I intend (by Gods aſſiſtance) effectually to proſecute. If your Officers Priſoner onely, and not yours, which I conceive, who yet abuſe your name and authority herein, though it be a rule in Law and Divinity too, *Qui non prohibet malum quod poteſt, jubet*; yet I ſhall be ſo juſt, as to ſet the ſaddle upon the right Horſe, and commence my action only againſt ſuch of your Officers, who have been moſt active in my impriſonment, for damage and reparations; which if there be any juſtice remaining under Heaven, I doubt not but I ſhall recover in Gods due time, in this publick cauſe, which ſo highly concerns the honor, freedom, and priviledges of Parliament, and Subjects Liberties; for defence and maintenance whereof, as I have hitherto ſpent my

ſtrength

ſtrength, adventured my life, body, liberty, and eſtate; ſo ſhall I now again engage them all, and all the friends and intereſts I have in heaven and in earth, rather than they ſhal ſuffer the leaſt diminution, prejudice or eclipſe by my ſtupid patience under this unjuſt captivity; though I can as willingly forgive and put up private injuries, when the publick is not concerned as any man. All which I thought meet to inform your Lordſhip of, whom I am heartily ſorry to ſee ſo much diſhonored, abuſed and miſled by raſh ill-adviſed Officers, and dangerous, deſtructive (and I dare ſay, Jeſuitical) Councils, to the Parliaments diſſipation, the Kingdoms prejudice, *Irelands* loſs, moſt good mens and Miniſters griefe, your beſt Friends aſtoniſhment, your enemies and the Papiſts triumph, our Religions Scandal, and your own diſhonour: which I beſeech you as an Engliſhman, a Chriſtian, a Profeſſor of piety and Religion, a Souldier, a General, to lay ſadly to your heart, as the earneſt requeſt of

From my Priſon at the Sign of the *Kings Head* in the *Strand*, 3. *Jan.* 1648.

Your Lordſhips faithful Friend and Monitor

William Pryn

*An Additional Poſtſcript.

WE read, *Luke* 3. 14. that when the Souldiers demanded of *John Baptiſt*, ſaying, and *What ſhall we do?* he ſaid unto them, *Do violence to no man*, (or put no man in fears,) *neither accuſe any falſly, and be content with your allowance*: not impriſon, depoſe, or murder Kings, pull down Parliaments, impriſon, violently ſhut out, and drive away Parliament men, and then lay all falſe acuſations and ſcandals upon them, to colour your violence, ſubvert Kingdoms, alter States, break all bonds of Laws, Oaths, Covenants, Obligations, Engagements to God and Men; uſurp all Civil, Military and Eccleſiaſtical power, and the Kings Royal Palaces into your own hands, as ſupreme Lords and Kings; raiſe what new Forces, and levie what new Taxes you pleaſe, take up what Free-quarters and Houſes, ſeize and plunder what publick Treaſuries & monies you

pleaſe

pleaſe, without Commiſſion or Authority, obey neither God nor Man, neither Parliament, nor Magiſtrate, and be content with nothing, but alter, and ſubvert all things. Theſe are Saint *Peters* new Doctrines and Revelations, to our Officers and Souldiers now, and thoſe Jeſuits who lurk amongſt them, not *John the Baptiſt*; whoſe Canonical advice is now rejected as Apocryphal, even among the Army Saints, who prefer every *ignis fatuus*, though from *Doway* or *Rome* it ſelf, before this burning, and ſhining old light, and are guided onely by a new minted law of pretended providence or neceſſity of their own forging, and not by the revealed will and law of God, the ſacred light whereof their preſent works of darkneſs dare not approach, leſt they ſhould be reproved and condemned by them. But ſome 43 Actions of falſe imprisonment by the impriſoned, and 150 Actions of the Caſe by the ſecluded Members, brought againſt theſe domineering lawleſs Officers and Grandees of the Army, wherein good damages will be recovered, and ſome 12 Indictm. of High Treaſon againſt them for laying violent hands upon the Kings Perſon, and the Members, and levying War againſt the Parliament, will teach them more obedience, humility, and modeſty, than either *John Baptiſt*, Saint *Paul*, Saint *Peter*, or Saint *Peters* will do; and be like *Gideon* thorns and briars of Diſcipline to theſe men of *Succoth*; with whom no fair means will prevail; who might have learned ſo much law and juſtice from a Heathen Souldier and Governour *Feſtus*, Act. 25.27. *It ſeemeth unto me unreaſonable to ſend* (much more to commit) *a Priſoner, and not withall to ſignifie the crimes laid againſt him*; and come ſhort of that ingenuity of the Heatheniſh chief Captain who ſeized upon *Paul*, thereby to appeaſe the Tumult at *Jeruſalem*, Act. 22.27,29. who as ſoon as ever *Paul* told him, *he was a Roman, and Free-born*; *then ſtreight-way they departed from him who ſhould have examined him*; *and the chief Captain alſo was affraid, after he knew that he was a* Roman, *and becauſe he had bound him*. And ſhould not falſe impriſoning of a Parliament-man, and Free-born Engliſh-man be as formidable to our chief Captains (being a Chriſtian, I ſay, ſworn and vowed to defend the Houſes priviledges, and Members perſons) as the Impriſonment of a *Roman* was to this chief Captain, and they as ingenious and juſt

as he, who shall rise up in judgement against them, and condemn them at the last.

I shall close up all with this observation, That as the most glorious Angels in Heaven, when they fell (through pride and ambition, as most conceive) became the very foulest Devils in Hell; so the most resplendent seeming hypocritical Saints when they fall through the like sins, and have power in their hands, become the most incarnate Devils, and Monsters of treachery and tyranny upon earth, exceeding Turks and Pagans therein, of which we have now sad experience in our Army-Saints, who every day aggravate, and yet justifie their impieties and exorbitances, 2 *Chron.*28.11. *Now hear me therefore, and deliver the Captives again, which ye have taken Captives of your Brethren; for the fierce wrath of God is upon you.*

*Will.*Pryn.

64. Another forg'd Letter endeavour'ed to be fastned upon Sheriff *Brown.*

The Saints having nothing to say against Major Gen. *Brown* (unless they should accuse him for being true to King, Parliament, City, and Kingdom, and to all the first declared principles of this Parliament) fell to their old trick to fasten another counterfeit Letter upon him; wherefore a Man coming to S. *James*'s where he was then imprisoned) desired, in the hearing of all present to speak with him in private; Major Gen. *Brown* told him, He was not for private conference, and bad him speak openly; then the Fellow presented a Letter to him, saying, It was from the Prince; but Major Gen. *Brown* (remembring the like trick put upon him before) called for the Guard to apprehend him, when presently the Messenger threw the Letters into the fire, and the Marshal catching them out half burnt, affirmeth, He saw *Charles Prince* written upon them. Sanctified eyes may see through the spectacles of their own fantasie what they please, to accomplish their Design, and therefore they have a new principle or light (which as the 7. *May*, be added to the aforesaid 6.) that though they have no proofs nor evidence against a man, yet if in their consciences, they think him guilty, they may condem him upon the testimony of their own consciences; this is to condemn by Revelation such whose blood they desire to suck. This supposed Messenger from the Prince was seized by the Guard;

Guard, but no proceedings againſt him heard of; which argues it was but a ſnare ſet to catch the Major.

About this time (to ſecond this device) a man gallantly clothed and mounted, comes to the *Bear* in the *Straud*, gives the Hoſtler a Peece, and bids him have a care of his Horſe; then goes into the City, and (the Plot being fore-laid) was taken there with Letters ſubſcribed with the Princes name, to divers Citizens and Members againſt whom they want matter of accuſation. I hear no more of this matter yet; this is a device dormant, to be awakened hereafter, if any ſhall oppoſe the preſent actings of the Army, and their Parliament.

05. Another more general forgery to endanger whom the Faction pleaſe. It will be proved, that divers Witneſſes have been practiſed and tampered with againſt Mr. *Brown*, and others.

Cromwell, *Ireton*, and *Hugh Peters* have ſeveral times made it their errand to go into the City and viſit the Miniſters, giving them threatning Admonitions, *not to preach any thing againſt the Actings of the Army and their Parliament*: But *Hugh* acted his part above them all, he took ſome Musketiers with him to the houſe of Mr. *Calamy*, and knocking at the door, a Maid asked, *Whom he would ſpeak with?* he told her, *with her Maſter*: ſhe *asked his name?* he replied, Mr. *Hugh Peters*, the Maid going up the ſtairs to acquaint her Maſter (who was above ſtairs in conference with ſome Divines) over-heard *Peters* ſay to the Souldiers, *The very name of* Peters *will fright them all*: *Peters* being called up the ſtairs, told Mr. *Calamy*, *He was commanded by the Generall to warn him to come before him.*: Mr. *Calamy* (leaving *Peters* vapouring and canting Religion and non-ſenſe to the reſt of the Divines) ſlipt down ſtairs and went to the General, to know his pleaſure, telling him, *He had been ſummoned before him by* Hugh Peters; the General ſaid, *Peters was a Knave, and had no ſuch direction from him.*

66. *London*-Miniſters threatned. See the Miniſters of *London's* Letter to the General, called [*A ſerious Repreſentation*] Dated Jan. 18. 164[illegible]

Since this the Councel of War (finding it difficult to ſtop the Miniſters mouths) have ſundry times debated, *How to ſhut up the Churches doors in the City, for Reformation of the Church, and propagation of the Goſpel*: they have impriſoned Mr. *Canton* (a worthy Miniſter) *for praying for King* CHARLES, and threaten to try him for his life in the Upper Bench (forſooth) which all the Laws call, *the Kings Bench*; and upon their new Acts of Parliament, made by a ninth part of the Members, the final remnant or Junto of the Houſe of Commons; notwithſtanding, by the

The C. of War conſider how to ſhut up the Churches doors.

Directory for publick Worship (eſtabliſhed by both Houſes) the Miniſters are enjoyned to pray for the King. It is ſaid that Monſieur *Paux* (one of the *Dutch* Agents here) hath adviſed *Cromwell, to ſtop the Miniſters mouthes by hanging up a dozen of them*, and vouches *a preſident for it in the Low Countries.*

68. The Lords ſent ſome Votes to the Commons for their concurrence.

Jan. 9. The Lords ſate again and paſſed ſome Ordinances, which they ſent down to the Commons for their concurrence, to feel their pulſe whether they would vouchſafe to take ſo much notice of them; the Commons laid them aſide after ſome expreſſions of diſdain.

69. Sergeant *Dandy* proclaimeth the ſitting of the new H. Court of Juſtice.

This day Sergeant *Dandy*, Sergeant at Arms to the Commiſſioners for Trial of His Majeſty, rode into *Weſtminſter-hall* with the Mace belonging to the Houſe of Commons upon his ſhoulder, and ſome Officers attending him, all bare, and ſix Trumpeters on horſ-back before him, Guards of Horſe and Foot attending in both the *Palace-yards*, the ſix Trumpeters ſounded on horſ-back in the middle of the Hall, and the Drums beat in the *Palace-yards*, after which a Proclamation was read aloud by Mr. *King*, one of the Meſſengers of the ſaid High Court of Juſtice to this purpoſe; To give notice, that the *Commiſſioners were to ſit to morrow, and that all thoſe that had any thing to ſay againſt* CHARLES STUART, *King of* England *might be heard.* The like was done in *Cheap-ſide*, and at the *Old Exchange.*

70. The Great Seal voted to be broken.

This day the remainder of the Houſe voted their Great Seal to be broken, in order to the making of a new one, juſtly putting the ſame affront upon their own Seal, which they had formerly put upon the Kings. Upon theſe occaſions Mr. *Pryn* (it is ſaid) publiſhed his *Memento* to the Unparliamentary Junto, therein telling the Houſe, *That being forcibly ſecluded from the Houſe by the Officers of the Armies violence, whereby he could not ſpeak his mind to them freely* in, *or* at *the Houſe of Commons, yet he would write his thoughts to them as private Perſons only under a force, conſulting in the Houſe without their fellow Members advice, or concurrence, about ſpeedy Depoſing and executing* CHARLES *their lawful Sovereign, to pleaſe the General, Officers, and Councel of the Army, (who have uſurped to themſelves the Supreme Authority both of King and Parliament) or rather the Jeſuits and Popiſh Prieſts among them.*

71. Mr. *Pryns Memento* to the Unparliamentary Junto.

1. By

1. By the Common Law, the *Stat.*25. *Edw.*3. and all other Acts concerning Treaſon, *It is High Treaſon for any man by overt act to compaſs the death of the King, or his eldeſt Son, though never executed*; and ſo adjudged by Parliament in the Earl of *Arundels* Caſe, 21 *Ric.*2. *Flac. Coronæ*, n.4, 6, 7. Cok. 5. *Inſt.* 1. *Stamf.* Pleas of the Crown, l. 1. c. 1 2.

2. In the Oath of Allegiance (which every man takes before he ſits in Parliament) you acknowledge him to be *lawful and rightful King of this Realm*; *and that the Pope neither of himſelf, nor by any authority of the See of* Rome, *or by any other means, with any other, hath any Power or Authority to depoſe the King*, &c. Exact Collect

3. Your ſelves amongſt other Members, in above one hundred Remonſtrances, Declarations, Petitions, Ordinances, &c. in the name of the Parliament have profeſſed, *You never intended the leaſt hurt, injury, or violence to the Kings Perſon, Crown, Dignity, or Poſterity; but intended to Him and His Poſterity more Honour Happineſs, Glory, and Greatneſs than ever any of His Predeceſſors enjoyed; That you would make good to the uttermoſt with your Lives and Fortunes the Faith and Allegiance you have alwayes born to him. That all Contributions, Loans, ſhould be imployed onely to maintain the Proteſtant Religion, the Kings Authority, Perſon, Royal Dignity, Laws of the Land, Peace of the Kingdome, and priviledges of Parliament. That the Forces raiſed by the Parliament were for defence of the Kings Perſon, and of both Houſes. That the Parliament will ever have a care to prevent any danger to his Perſon. That they are reſolved to expoſe their lives and fortunes for maintenance of the Kings Perſon, Honour, and Eſtate, and the power and priviledges of Parliament*, when the King taxed the Houſes for inſinuating, *That if they ſhould make the higheſt Preſidents of other Parliaments their pattern* (that is, depoſe the King) *there could be no cauſe to complain of them*; Both Houſes by two Declarations proteſted againſt it, ſaying, *That ſuch thoughts never entred, nor ſhould enter into their Loyal hearts.* Exact Collect. p. 16, 19, 21, 59, 66, 83, 102, 103, 118, 123, 125, 141, 142, 143, 173, 180, 195, 219, 239, 281, 307, 380, 312, 360, 376, 457. A Collect. &c. p. 13, 18, 41, 43, 44, 49, 51, 61, 64, 96, 181, 102, 340, 341, 424, 425, 499, 599, 623, 696, 806, 807, 879, Appendix p. 15. Exact Collect p. 298, 695, 696, 657, 658, 991.

4. By the Proteſtation, *They declare in the preſence of God to defend the Kings Perſon and Eſtate, and that their Armies under* Eſſex *and* Fairfax, *were raiſed for that purpoſe* inter alia. Collect. of all Orders, p. 8, 13, 41, 43, 44, 49, 51, 61, 64, 96, 99, 623, 696, 879. Appendix p. 15.

5. By the National Covenant, *They vowed to defend the Kings Perſon and Authority in preſervation of true Religion and Liberties*

of the Kingdom, and that they will all the dayes of their lives continu in this Covenant againſt all oppoſition.

6. You monopolize the *Supreme power* into your own hands robbing both King, Lords, and the reſt of your fellow Member thereof, whom you are content ſhould be violently ſhut out by your Army, who have levied War againſt the Parliament to diſſolve it; till the removal of which force, and reſtoring you Members with freedome and ſafety, you ought not to ſit or Act in your Armies own doctrine in their Remonſtrance, *Aug.*18 and by the Declaration and Ordinances of both Houſes, *Aug.*20 1647. Sec.21.*R.*2.*c.*12.1. *H.*4.*c.*3.31. *H.*6.*c.*1. 39.*H.*6.*c.*1. See the memorable Record, 6. *E.*3. *Parl. apud Ebor.n.*1, 2 *dorſo clauſo* 6. *E.*3.*m.*4.6. *E. apud Weſtm. Parl.*2.*n.*1.13. *E.*3. *Parl.*2. *n.*4 and many more Rolls, *where Parliaments, when any conſiderable number of Members of either Houſe were abſent, refuſed to ſit* (though under no force) *till the Houſe were full.*

Alſo 15. *E.*3. n.5.17*E.*3.n. 2. 6.18*E.*3.n. 1.2.3.&c.1*R.* 2.n.1.2 *R.*2. n.1. 3 *R.*2.n. 1.4.*R.*2. n.1. 5.*R.*2. Parl.1 n.1.Parl.2.n. 1.8.*H.*4.n.28

* 72. The Armies party in the Ho. approve the matter of the Co. of Officers accuſatory Anſ. againſt the ſecured Mem. without hearing them. See Mr. *Jo. Geeres* Anſ. to that ſilly Sophiſter *Jo. Goodwin*, called, *Might overcoming right.*

7. You have neither Law nor preſident for what you do *Edw.*2. *Rich.*2. were forced by *Mortimer* and *H.*4. to reſign their Crowns in a formal way, one to his Son, the other to his conquering Succeſſor, neither of them to the Parliament, and a laſt Depoſed by a ſubſequent Sentence of Parliament, *as unfit to Reign*, without any formal Trial.

* *Jan.*11.1648. The Houſe read the Anſwer of the General Councel of the Army, concerning the ſecured and ſecluded Members, and (as I have formerly ſaid, without hearing what the ſaid Members could ſay for themſelves, approved the matter of it; whereupon the ſecured and ſecluded Members, 20. *Jan* 1648. (with much adoe) got printed their *Vindication, againſt the Aſperſion caſt upon them in the humble Anſwer of the General Councel of the Officers of the Army, concerning the ſecuring and ſecluding of the ſaid Members*; The ſum whereof is as followeth.

73. The ſec. and ſecl. Memb. Defence againſt the ſcandalous Ans. of the C. of W.

By the Preamble of this Anſwer, and by the Propoſals of the 6. *Decem.* and the late Declaration and Remonſtrance therein cited, it appears this Deſign *to break the Houſe by force*, hath been long ſince plotted and contrived with action. The General Councel of the Army in their ſaid Anſwer, ſay, *Is a courſe in it ſelf irregular, and not juſtifiable, but by honeſt intentions and extraordinary neceſſity*; the weakneſs of which Anſwer we muſt exa-

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mine, but first must state the case between us: *They are an Army raised by Ordinance of* Parliament, *of* 15. Febr. 1644. *for defence of King and* Parliament, *the true* Protestant Religion, *the Laws and Liberties of the Kingdom, and to be from time to time subject to such Orders and Directions as they shall receive from both Houses of* Parliament: and to this end they stand commissioned by them, and receive pay from them to this day. And besides this trust thus lying upon them, they are under the obligation of a solemn Covenant, sworn to God, *That they will in their place and callings, with sincerity, reality, and constancy with their estates and lives, preserve the Rights and priviledges of the* Parliament, *and the Liberties of the Kingdome, and defend the Kings* Person *and Authority in defence of the true Religion, and Liberties of the Kingdom*; they being under the said trusts and Oath, march up to *Westminster* (contrary to order) in a hostile way, forcibly secured, secluded, and drove away many of the Members; the Question is, *Whether this Action be Justifiable upon pretence of Honest intentions and Necessity?*

Their good intentions cannot be known but by their expressions and actions, and they refer us to their Proposals, Declarations, and Remonstrances, where we finde their desires are;

1. *To take away the Kings life.*
2. *To take away the lives of the Prince, and the Duke of* York; *at least to dis-inherit both them, and all the Kings Children.*
3. *To put a period to this* Parliament.
4. *To set up a new Representative of their own, which takes away all* Parliaments.
5. *To have an Elective King, if any.*

These are their Honest intentions for publick good, which must come in to justifie their waging War against their Masters this Parliament: To name them, is to confute them, as being apparently against the Laws of God, and the Land, under which they live, and which they are engaged to maintain, we shall produce no other Witnesses to prove this but themselves. On the 15. of *Novem.* 1647. *The agreement of the People* (which is lower in demands than these which they call, *Honest intentions for publick good*) was condemned by the Army. The promoting it in the

Army

Army judged *mutinous* and *capital*; Col. *Rainsborough* and Major *Scot* complained of in the Houſe for appearing in it, and the Paper it ſelf adjudged by the Houſe, *deſtructive to Government, and the being of Parliaments.*

The ſecond pretence or principle is, *Extraordinary Neceſſity for the ſame end.*

To this we ſay, 1. The Army made the ſame plea of *Neceſſity* in their Remonſtrance, *June* 23. 1647. upon quite contrary grounds to what they expreſs now, and both to juſtifie the ſame violent proceedings againſt the Parliament, then when the King was ſeized upon by a party of the Army (without Order from the Houſe) and the Army advanced againſt the Parliament. They ſay in their Letter to the Houſe, *July* 8. 1647. *There have been ſeveral Officers of the Army upon ſeveral occaſions ſent to his Majeſty: The firſt, to preſent to Him a Copy of the Reprentations; and after that ſome others, to tender Him a Copy of the Remonſtrance: Upon both which, the Officers ſent were appointed to clear the ſenſe and intentions of any thing in either paper, whereupon his Majeſty might make any Queſtion.* There the Army treated with the King, yet now they offer violence to the Parliament for treating with the King. Then in their Remonſtrance, 25. *June* 1647. they ſay, *We clearly profeſs, we do not ſee how there can be any peace to this Kingdome firm and laſting without a due conſideration of, and proviſion for the rights, quiet, and immunities of His Majeſties Royal Family, and his late partakers*; now they judge the majority of the Houſe corrupt for moving one ſtep towards a peace with the King, though he hath now granted more to them than all the Armies Propoſals then demanded of Him. Thus they make this general *plea of Neceſſity* ſerve to juſtifie the conſiderations; which they are put to by making themſelves Judges of thoſe things they have no calling to meddle with; for by what Authority are they Judges of publick Neceſſity?

Turn back to ſect. 2. and ſee my Animadverſ. upon the Army, 29. *Nov* 1648. p. 4, 5, 6, 7.

The Parliament thought it not reaſonable the King ſhould be ſole Judge of publike neceſſity in caſe of ſhip-mony. Return to ſect. 18. where I ſet down ſix of their Principles.

2. This principle (*Neceſſity*) is deſtructive to all Govenment, for as the General Officer urgeth *Neceſſity* for acting againſt the Commands and perſons of his Superiours; and arrogates to be Judge of that *Neceſſity*, the Inferiour may urge the ſame *Neceſſity* (in his judgement) to act againſt the Commands of his General. The Souldiers againſt their Officers; any other

20000. men in this Kingdom againſt this Army, and this Army (as againſt this Parliament) ſo againſt any other Repreſentative or Government; and ſo *in infinitum.*

3. The Commons in Parliament are not accountable for the uſe of their truſt to any but the Houſe, being Truſtees of the People, not by Delegation, but by tranſlation; all the power of the people being transferred to them for adviſing, voting, and aſſenting (according to their judgements, not according to the judgements of thoſe that ſent them) for otherwiſe the parties electing, and thoſe elected, differing in judgement, one might proteſt againſt what the other had done, and ſo make void all Acts of Parliament. But if their Acts were valid or void at the Electors judgements, yet were the Members only accountable to them that ſent them, not to Strangers, and in no caſe to the Army, who are themſelves but in ſubordinate truſt to the Parliament for their defence.

The Commons have their Authority from the Writ of Election through their election from the people: See the Writ *Cromton* Juriſdict. of Court, Tit. Parliament.

4. This violence upon the Members is not only contrary to the Armies truſt, but againſt their Covenant and Proteſtation; the breach whereof being a moral evil cannot be made good by honeſt intentions and neceſſity.

The particulars of the ſaid General Officers Anſwer, upon which this pretended Neceſſity is grounded, are ſix; but we muſt firſt take notice what is ſaid from the end of the 2. page to the end of the 5. before we enter upon them; the ſumme is, *That by the endeavours of ſome old Maliguant Members, and by practiſes uſed in new Elections there came in a floud of new Burgeſſes that either are Malignant or Neuters.* To this we ſay, what is done by the majority, is the Act of the whole Houſe; and what is done againſt the majority, is done againſt the whole Houſe; nor was the Ordinance for new Elections carried on by old Malignants, unleſs the major part of the Houſe were alwayes ſuch, and before the new Elections. It is not heard to ſhew that many of the Officers of the Army came in upon the laſt Elections, and were choſen by thoſe places where they are ſcarce known; upon what influence therefore they came in, let the world judge. And now for the ſaid ſix particulars objected.

In all new Elections there were 2 Independents choſen for one of any other principles, Independents were then Commiſſioners for the Great Seal, & delivered Writs to men of their own Party who had the advantage to keep them, and chuſe their own time to deliver them, and Souldiers (under colour of keeping the peace) became great Sicklers in Elections.

1. To

The Army betrayed *Ireland* by their diſobedience. They would neither go for *Ireland* themſelves, nor ſuffer others to go, 1. part. ſect. 16. & 55. 57.

1. *The betraying of* Ireland *into the Enemies hands, by recalling the Lord* Lyſle *from his command there, and putting the beſt part of the ſaid Kingdome, and where the Parliament had the ſtrongeſt footing* (Munſter) *into the hands of* Inchiquine *a Native Iriſh; who hath ſince Revolted from the Parliament, hath lately united with the Iriſh Rebels, and with them and* Ormond *for the King.* To this we ſay, the Lord *Inchiquine* came in and brought *Munſter* to the Parliament, and preſerved their intereſt in *Ireland*, in all the heat of their Wars in *England*, when they had little other Intereſt there, and leſs means to relieve them; the Lord *Lyſle* was not recalled from his Command there, but his Commiſſion for Lord Lievtenant expiring, 15. *April*, 1647. on the 17. *April*, he hoyſed ſail for *England*; after the Lord *Lyſles* return for *England*, the Lord *Inchiquine* did gallant ſervice againſt the Rebels, took many ſtrong Holds from them, and won the Battel of *Knocknoweſ*, one of the greateſt that ever was gotten of the Rebels. The Houſe therefore approved of his behaviour until 3. *April*, 1648. when (the Army having led the way) the Lord *Inchiquine* (taking diſtaſte thereat) by way of imitation, began to enter into Engagements and Remonſtrances againſt the Parliament, (as it was then conſtituted) for which he made the Remonſtrances, Engagements, and Declarations of the Army the Summer before, both the cauſe and precedent; as by the printed Relation doth appear.

This Lo. went late, carried over 160000l for which he hath not yet accounted, began a quarrel with *Inchiquiene*, & put him into diſcontent, and then returned See the Iriſh Letters and Papers to the Houſe in Print.

2. *Their endeavours to bring in the King upon His own Tearms; without ſatisfaction and ſecurity to the Kingdom*, viz. *upon His Meſſage of the* 12. *of* May, 1646. *and to this end to Diſband this Army before any peace made or aſſured.* To this we ſay, the Houſe of Commons upon the firſt notice thereof, voted the ſaid Engagement of the 12. of *May*, Treaſonable; and by Ordinance, 17. *Decem.* 1647. put an incapacity upon ſuch Citizens as had any hand in it, which evidenceth, we were here in a right majority, as in other parts of their Paper they take the Votes of the Houſe to prove us a *corrupt majority*: The charge here lying in general, and not fixed upon any particular. Concerning *Diſbanding the Army*; we ſay, the Houſe voted 8 *Regiments of Foot*, 4 *of Horſe, and* 1 *of Dragoons, to be ſent out of the Army for* Ireland, and reſolved to keep 10000 *Foot, and* 5400 *Horſe under Command of the*

the Lord Fairfax *for defence of* England. This was, 1. For Relieving *Ireland.* 2. For easing the heavy pressures of the poor people in *England.* And 3. an honourable employment for the Forces of the Army, to prevent such high distempers as have since ensued.

3. *That they endeavoured to protect the* 11 *impeached Members from justice, and with them to raise a new War.* To this we say, we gave them no other protection than the Laws allowed them. For the mispending 200000 l. designed for *Ireland*; we say, that 80000 l. thereof was paid to *Nicholas Loftus*, and others, for service of *Ireland*, and above 50000 l. to the Treasurers at War for the Army; which may more reasonably be said to be mis-imployed (because the Army had an established pay another way) than what the Reformado Officers and Souldiers (who obeyed the Orders of the House for Disbanding) received, who nevertheless pressed upon the House more earnestly for their Arrears, after the Declarations and Remonstrances published by the Army for paying the Arrears of all the Souldiers of *England.*

4. *Their countenancing, abetting, and partaking with the Tumult of Apprentices, and others against both Houses of Parliament.* To this we say, that we wonder they should urge the force offered to the House then (which they declared *horrid and treasonable*) to justifie the violence acted upon the House by themselves of a much higher nature. This is a meer fiction of the Pen-mans, which we do every one of us for our selves respectively deny.

5. *The holding correspondency, engaging and assisting the tumultuous Petitioners last Spring, the rebellious Insurrections in* Kent, *the Revolted Ships, Prince of* Wales, *with the* Scots *Army:* We do every one of us for our selves respectively deny these.

6. *That when the Army was dispensed and engaged in several parts, &c. and many faithful Members imployed abroad upon publick services; and others through Malignant Tumults about this City, could not with safety attend the House. Then the corrupt and Apostating party taking advantage of these distractions which themselves had caused: First, recalled in those Members, &c. Then they recalled those Votes for Non-Addresses, and voted a Personal Treaty.* To this we say, that if the proceedings of the Treaty were surreptiti-

See my 1. part sect. 16, 17, 18 and my said Animadverd ons, p. 2. neither were they legally impeached. See *Ardua regni*, or 1 arduous doubts written in defence of the expelled Memb. the said Members Ans. to the Armies Charge. There was close Inquition of God Cut-throat purposely chosen to examine this Tumult; which proceeded illegally, & use so much foul play as to accuse men upon character of their clothes, and Persons; yet malice it self could find nothing. See my 1. part sect. 45, 46. sect. 54. Return to sect 2. & 5.

repitiouſly gotten in a thin Houſe, why do they then complain in other parts of their Paper, *that the majority of the Houſe is corrupt, and formed to ſerve the Kings corrupt Intereſt?* why did they force from the Houſe above 200 Members at once; the Counties never expreſſed ſo high contempt of the Parliament, until the like had been firſt done by the Armies quartering upon them.

Return to ſect. 2. & 5. there ſee the true grounds of theſe Tumults. See what uſe they make of providence in the 2. part of *Englands* new Chains.

And now let us come to that Vote of the Houſe, 5. *Dec.* 1648. *That the Kings Anſwer to the Propoſitions of both Houſes are a ground to proceed upon a ſettlement of Peace*; of which they ſay, *That though they advanced hither to attend providence for opening ſome way to avoid the preſent evils deſigned, and introduce the deſired good into the Kingdom, yet they ſaid nor acted nothing in relation to the Parliament, nor any Member thereof, until by the Vote paſſed*, Decem. 5. *they found the corrupt majority ſo reſolvedly bent to compleat their Deſign in bringing in the King.* Do they call their threatning Declaration and Remonſtrance a ſaying nothing? and their marching up againſt the Houſe, contrary to the Order of the Houſe, a doing nothing in relation to the Parliament? But by theſe words it appears that this Vote 5. *Decem.* is the very point of that neceſſity they now relye upon to juſtifie their force upon the Houſe: For, before that paſſed, they ſay, *They ſay they acted nothing, &c.* we muſt now ſtate the difference between the Houſes Propoſitions, and the Kings Anſwer, and ſee whether the King did not grant all thoſe Propoſitions in which the main ſecurity of the Kingdom reſteth.

See Mr. *Pryns* ſaid Speech in the Houſe, 2 *Decem.* 1648. more at large.

He granted the firſt Propoſition *for taking off all Declarations*, as was deſired.

And the third Propoſition *for the Militia*, as was deſired.

He aſſented to *the Propoſition for* Ireland; *limiting the time of the Parliaments diſpoſing Officers there to twenty years.*

He conſented to ſuch Acts *for publick Debts and publick Uſes, as ſhould be preſented within two years, and incurred within that time.*

He granted the Propoſition *concerning* Peers, as was deſired.

He granted the *Diſpoſing Offices in* England, *to the Parliament, for twenty years.*

He granted the *taking away the Court of Wards, having* 100000l. per

per ann. *in lieu thereof to be raiſed as the Parliament ſhould think fit.*

He granted *to declare againſt the Marqueſs of* Ormond's *power and proceedings after an Agreement with the Parliament.*

The onely difference therefore remained upon two Propoſitions:

1. *Delinquents,*
2. *The Church.*

For Delinquents, though He doth not grant all His Majeſty conſented *they ſhall ſubmit to moderate Compoſitions, according to ſuch Proportions as they and the two Houſes ſhall agree.*

2. He diſableth them *to bear Offices of publick Truſt, and removes them from the Kings, Queens, and Princes Court.*

3. For ſuch as the Houſes propounded *to proceed capitally againſt,* He leaves them to a Legal Trial, and declares, *He will not interpoſe to hinder it:* which ſatisfies the main complaint of the Parliament which was (in the beginning of the War) *That the King protected Delinquents from juſtice.* And all that the Houſe deſired in the Propoſitions preſented to him at *Oxford*, Feb. 1642. was, *That His Majeſty would leave Delinquents to a Legal Trial and judgement of Parliament.* But that his Majeſty ſhould joyn in an Act for taking away the Lives or Eſtates of any that have adhered to Him (He truly profeſſeth) *He cannot with Juſtice and Honour agree thereto.*

4. Nor do we ſee how Delinquents (being left to the Law) can eſcape juſtice, the King having granted the 1. Proemial Propoſition, and (ſo by a Law) acknowledged the Parliaments Cauſe and War to be juſt.

For the Church, The Houſes propound the utter *aboliſhing of Archbiſhops, Biſhops, &c. The ſale of their Lands, that Reformation of Religion be ſetled by Act of Parliament as both Houſes have, or ſhall agree.* The Kings Anſwer takes away Church-Government by Archbiſhops, Biſhops, &c. by taking away their Courts and Officers, and ſo far takes away their power of Ordination that it can never be revived again but by Act of Parliament, ſo that Epiſcopacy is diveſted of any actual being by the Law of the Land, and inſtead thereof the Presbyterian Government ſettled for three years by a Law; which is for ſo long a time as the Houſes

Houſes formerly in their Ordinances preſented to Him at *Newcaſtle*, did themſelves think fit to ſettle it: for the Sale of Biſhops Lands upon the Publick Faith, we ſay, That although the Purchaſers might well have afforded to have given the ſame rates for their Purchaſes (which they now give) if they might have had them aſſured by Act of Parliament for 99 years, and ſuch moderate Rents reſerved as the King intimates in his Anſwer; yet (in His Anſwer) he expreſſeth a farther ſatisfaction to be given them; upon which we ſhould have inſiſted notwithſtanding the ſaid Vote.

Every cheating Saint of the Faction muſt have the Publick Faith exactly kept, though he bought the Lands but at 2 or 3 years juſt value, and with ſuch monies as he had formerly cheated the State of; when other men who have loſt the beſt part of their eſtates by and for the Parliament, for compenſation whereof they have the Publick Faith engaged by Ordinances, are conſumed by Taxes, and repayed with reproaches onely.

5. *Decem.* 1648. We farther alledge, That the King having granted the reſt of the Propoſitions, and ſo much in theſe two Delinquents, and the Church; the National Covenant doth not oblige us to make War upon this point; nothing can make Presbytery (nor the Purchaſers of Biſhops Lands more odious, nor endanger them more, than to make them the ſole obſtacle of peace; nor could any thing more work the King to comply with our deſires herein, than for us to draw a little neerer Him.

The Conſiderations leading us to paſs the ſaid Vote, 5. *Dec.* 1648. come next to be conſidered:

1. *The ſaving of* Ireland.
2. *The regaining the revolted Navy, and freedom of the Sea.*
3. *The ſupport of the Ancient Government of the Kingdome.*
4. *The putting the people into a ſecure poſſeſſion of their Laws and Liberties.*
5. *The avoiding ſuch evil conſequences as were apparently to follow a breach with the King.*

Return to Sect. 71.

As 1. The Depoſing the King, if not the depriving Him of life; whereupon floods of miſery will follow, and ſcandal to the Proteſtant Religion, which we from our hearts) deteſt and abhor: See the many Declarations of Parliament againſt it.

2. The neceſſitating of the Prince to caſt himſelf into the Arms of Forreign Popiſh Princes, and embrace Popiſh Alliances for his ſuccour.

3. It

3. It may beget a change of Government, and a laying aſide of Monarchy here; and ſo a breach with *Scotland*, and this Kingdome (being the more rich) likely to be the Seat of the War.

4. The vaſt Debt of this Kingdom upon the Publick Faith, will never be paid in War, but increaſed and multiplied; multitudes of Sufferers by, and for the Pariament like to be repayed onely with new ſufferings, and every years War deſtroyes more Families, and makes more Malignants through diſcontenting preſſures; untill at laſt the Souldier ſeeing no hope of pay, the People no hope of peace and eaſe, fall together into a general and deſperate tumultuouſneſs; the power of the Sword apparently threatning a diſſolution of Government both in Church and Common-wealth.

To that ſcandalous Objection, which ſaith, *The corrupt majority will not lend an ear to admit a thought towards the laying down their own power, or rendring it back to the People from whom they received it.* We ſay, this Objection is unreaſonable from men who endeavour to perpetuate an Army upon the Kingdom; nor is the continuance of this Parliament ſingly objected, but that they will not render it back to the People, *viz.* To a new Repreſentative, invented and made by the Army, that is, We will not render our power into the hands of the Army.

Another Objection is, *That whatſoever the King granted, He might plead Force to break it, and ſpoil us by policy.* This Objection might have been made againſt all our Treaties; If there be any Force, it is from the Army, for ſpoiling us by policy. The Kings of this Land could never encroach upon our good Laws, but by corrupt Judges and Miniſters, who though they could not abrogate the Law, made it ſpeak againſt it ſelf, and the intended good of the People, or elſe by the power of Courtiers, ſtopping the courſe of Juſtice at the Councel Table; and in other Arbitrary Courts, both which are taken away by the Kings Conceſſions.

1. *That the Nomination of Judges and Officers be in the Parliament.*

2. *That the King make no new Parliament Lords for the future to vote there.*

Another

For this you muſt take the faith of the miſty-brain'd Penman, who had this (as well as many other groſs Lies) by Revelation. The Army had had the King in their power, and had the Parliament adjourned, the ſole power of the Kingdom had been left in the Army; which is a thing aimed at by them.

Another Objection is, *That they had intelligence, that had they been ſuffered to meet all in the Houſe once more, it was deſigned to have paſſed ſome higher Reſolutions, to lay farther foundations of a new quarrel, ſo as to carry therein the name and countenance of Parliamentary Authority together with the Kings, upon an acceptable pretence of Peace, to draw men in, and then to have adjourned the Parliament for a long time, excluding all remedy in this caſe but by another War.* To this we ſay, the Houſe immediately upon paſſing the Vote 5. *Decemb.* ſent a Committee to the General to confer with him and his Officers, and keep a good correſpondency with them: To which, the General promiſed his readineſs, howſoever it was hindred afterwards. And then they ſeized upon one of the Commiſſioners appointed to Treat, affronted another, and left no way free for a Conference, which ſhews they were reſolved to do what they had deſigned.

The laſt Object. is, *That theſe Members that are yet detained in Cuſtody, are either ſuch as have been formerly impeached, and* (in part) *judged by the Houſe for Treaſon, and other Crimes, and never acquitted, and againſt whom they can, and very ſhortly will produce new matter of no leſs crime; or elſe ſuch who have appeared moſt active and united in Councels with them; againſt whom alſo they are preparing, and ſhall ſhortly give matter of paticular Impeachment.* To this we ſay, that when it appears what thoſe crimes are, and what perſons are charged with them, we doubt not but they will ſufficiently acquit themſelves, if things may be legally carried in a judicial way by competent Judges, not pre-ingaged. In the mean time we conclude, That Souldiers, whoſe advantages ariſe by War, are not fit to judge of the Peace of the Nation.

74. A Declaration by Mr. *Walker* and Mr. *Pryn.*

The 19. *Jan.* 1648. Mr. *Pryn*, and Mr. *Walker* (two of the ſecured Members) publiſhed in print their Declaration and Proteſtation, againſt the actings and proceedings of the Army, and their Faction now remaining in the Houſe of Commons, as followeth:

A Declaration and Proteſtation of Will. Pryn, *and* Clem. Walker, *Eſquires, Members of the Houſe of Commons; Againſt the preſent Actings and Proceedings of the General, and General Councel of the Army, and their Election now remaining, and ſitting in the ſaid Houſe.*

WHereas long ſince, for eaſe of the People, both Houſes in a full and free Parliament Voted the Disbanding of this Army; in oppoſition to which, ſome great Officers of the ſaid Army (to continue their rich Commands) with ſome Members of the Houſe of Commons (who daily inrich themſelves by the troubles of the times) ſecretly mutinied the Army againſt the Parliament. And whereas lately the far major part of the Houſe of Commons, pittying the bleeding condition, and tears of the oppreſſed People, Voted, and entred into a Perſonal Treaty with the King; without which (by the Armies own confeſſion in their Remonſtrance at Saint *Albans*, p. 64.) there can be no peace; which the Army interrupted by obtruding upon the Commons a treaſonable Remonſtrance, 20. *Novemb.* 1648. tending to deſtroy the King, and His Poſterity, and wholly to ſubvert all Parliaments, Religion, Laws, and Liberties for ever; whereby the Commons in Parliament found it abſolutely neceſſary to prevent ſuch pernicious innovations, by concluding a ſafe peace with His Majeſty; whereupon (after mature debate) the Houſe of Commons the 5. *Decem.* 1648. voted, *That the Kings Anſwer to the Propoſitions of both Houſes upon the Treaty, were a ground for the Houſes to proceed to the ſettlement of a ſafe and well-grounded Peace:* Upon which, the General, and Councel of War, Wedneſday morning, 6. *Decemb.* 1648. Seized and Impriſoned 41 of the Members going to the Houſe of Commons to do their duty, ſecluded above 160 other Members, beſides 40 or 50 Members who voluntarily withdrew themſelves to avoid their violence, leaving only their own engaged party of 40 or 50 Members ſitting, who now paſs Acts of Parliament of the Houſe of Commons (as they call them) without the Lords; and comply with the ſaid Councel of War to carry on the ſaid Remonſtrance: To which purpoſe this preſent remnant of the

Commons have unvoted in a thin Houſe under the force of the Army, what was deliberately Voted in a full and free Houſe; whereas by their own Ordinance paſſed upon the Tumult of Apprentices, 20. *Auguſt*, 1647. to null, and make void *ab initio*, all Acts, Orders, Votes, &c. paſſed under the ſaid force. This remaining Party ought not to ſit, act, nor take upon them the ſtile of a Houſe, under ſo viſible, actual, and horrid a Force.

The premiſes conſidered, We whoſe names are hereunto ſubſcribed, Members of the Houſe of Commons, do declare and proteſt, That the ſaid General, Commiſſioned Officers, and General Councel of the Army, by the ſaid act of violence, upon the major part of the Houſe, which legally and virtually is the whole Houſe, have waged War, and Rebelled againſt the Parliament their Maſters, who raiſed them to defend the priviledges of Parliament, and the Kings Perſon and Authority, in defence of Religion, Laws, and Liberties, and have thereby forfeited their Commiſſions, and have broken and diſcontinued this Parliament; ſo that, until this force be removed, puniſhed, the Honour of the Parliament, and their wronged Members vindicated and all the Members reſummoned, all the Votes, Orders, and Actings, paſſed, and to be paſſed by this nominal Houſe of Commons, are, and will be void, *ab initio*, and all ſuch as do, or ſhall obey them, are and will be puniſhable, both by the Armies own judgement in their Remonſtrance, *Auguſt* 18. and by the Houſes Declaration, and the ſaid Ordinance, 20. *Auguſt*, 1647.

We do farther declare and proteſt againſt this preſent Houſe of Commons illegal Acts, Order, or Ordinance, for erecting a High Court of Juſtice; and uſurping a power without any Law or preſident, to Try, Depoſe, and bring to capital puniſhment the King, and to diſ-inherit His Poſterity, or any of them, and againſt the ſaid General Councel of Officers, aiding and abetting them therein, as highly impious againſt the Law of God, Nations, and the Proteſtant Profeſſion, Traitors againſt the *Stat.* of Treaſon, 25 *Edw.* 3. and againſt all Laws and our Statutes, perjurious and perfidious, againſt the Oaths of Allegiance, Supremacy, National Covenant, and Proteſtation; all the Parliaments Declarations and Remonſtances held forth to the world; their Treaties and promiſes made to the *Scots* when they delivered

vered the Kings perſon into our hands; againſt our promiſes made to the *Hollanders*, and other Nations, and againſt all the Profeſſions, Declarations, Remonſtrances, and Propoſals made by this Army; when they made their Addreſſes to the King at *New-market*, *Hampton-Court*, and other places.

January 19. 1648. *William Pryn.*

Clem. Walker.

75. The Coun. of Officers order 2 Petitions for the Commons Houſe againſt Tythes 2. Againſt the Stat. for Baniſhing the Jews.

About this time the General Councel of Officers at *Whitehall*, ordered, *That two Petitions* (or Mandates rather) *ſhould be drawn, and preſented to their Houſe of Commons; One againſt Payment of Tythes; the other, for Repealing the Act for Baniſhment of the Jews:* Hear you ſee they ſhake hands with the *Jews*, and crucifie Chriſt in his Miniſters, as well as in his Anointed, the King.

76. Col. *Tichburn* Petition and complaint againſt the Lord Mayor, and their Orders thereupon. The like Petition were invited from moſt Counties, where a dozen Schiſmaticks and two or three Cloaks repreſented a whole County.

About this time Col. *Tichburn*, and ſome ſchiſmatical Common Councel-men, preſented a Petition to the ſupreme Authority the Commons in Parliament, demanding *juſtice againſt all Grand and capital Actors in the late Wars againſt the Parliament from the higheſt to the loweſt; the Militia, Navy, and all Places of power to be in faithful hands* (that is, in their own Faction, all others being diſplaced under the general notion of diſaffected) *to ſettle the Votes* (*That the ſupreme Authority is in the Commons in Parliament aſſembled.*) They complained, *That the Lord Mayor, and ſome Aldermen, denied to put their Petition to the Queſtion at the Common Councel, and departed the Court, with the Sergeant and Town-Clerk; That the Court afterwards paſſed it Nemine contradicente.* The Commons thanked the Petitioners (for the tender of their aſſiſtance) and Ordered, *That the Petition ſhould be entred amongſt the Acts of the Common Councel, and owned them for a Common Councel notwithſtanding the departure of the Lord Mayor, &c.* And about four or five dayes after, the Commons Ordered, * *That any ſix of the Commons Councel* (*upon emergent occaſions*) *might ſend for the Lord Mayor to call a Common Councel themſelves, and forty of them to have power to Act*

* See a juſt and ſolemn Proteſt. of the free Citizens of *London*, againſt the Ordinance, 17. *Decem.* 1647. diſabling ſuch as had any hand in the City Engagement to bear Office.

as a Common Councel without the Lord Mayor, any thing in their Charter to the contrary notwithstanding. Thus you see the Votes of this supreme thing (the House of Commons) are now become the only Laws and Reason of all our actions.

77. An Act passed for adjournment of part of *Hillary* Term, and the Lords concurrence rejected.

The 16. *Jan.* 1648. was passed an Act of the Commons *for adjournment of Hillary Term for forty dayes.* This was in order to the Kings Trial, but the Commissioners of the Great Seal, declared, *That they could not agree to seal Writs of Adjournment without the Lords concurrence* (the assent of one Lord being requisite) their tame Lordships sent down to the Commons to offer their readiness to *joyn therein.* But the Commons having formerly Voted, *The Supreme Power to be in themselves as the Peoples Representative, and that the Commons in every Committee should be impowred to act without the Lords.* The Question was put, *Whether the House would concur with the Lords therein?* which passed in the *Negative*; so the Lords were not owned. Afterwards they ordered, *that the Commoners (Commissioners for the Great Seal) should issue forth Writs without the Lords.*

78. *The Agreement of the People* presented to the House of Commons by the Officers of the Army. *Diurnal*, from *Jan.* 15. 10, 22. 1648. nu. 286.

20. *January*, Liev. General *Hamond*, with many Officers of the Army, presented to the Commons from the General and Councel of the Army, a thing like a *Petition*, with *The Agreement of the people* annexed. Mr. Speaker *thanking them*, desired them *to return the hearty thanks of the House to the General and all his Army for their gallant services to the Nation; and desired the Petition and Agreement should be forthwith printed, to shew the good affection between the Parliament and Army.* I cannot blame them to brag of this affection, being the best string to their bow. About this time some well-meaning man (that durst think truth in private) published his thoughts under the Title of [*Six serious Queries, concerning the Kings Trial, by the High Court of Justice.*

79. 6 Queries concerning the Kings Trial by the new High Court of Justice.

1. Whether a King of three distinct Kingdoms can be condemned and executed by one Kingdom alone, without the concurrent consent, or against the judgement of the other two?

2. Whether if the *King* be indicted or arraigned of *high Treason*, he ought not to be tried by his Peers? & whether those who are now nominated to try him, or any others in the Kingd. be his Peers?

3. Whether if the King be triable in any Court for any Treason against the Kingdome, He ought not to be tried only in full Parlia-

Parliament, in the moſt ſolemn and publick manner, before all the Members of both Houſes, in as honorable a way, as *Strafford* was in the beginning of this Parliament? And whether He ought not to have liberty and time to make his full defence, and the benefit of his learned Council, in all matters of Law, that may ariſe in or about his Trial, or in demurring to the juriſdiction of this illegall new Court, as *Strafford* and *Canterbury* had?

4. Whether one eighth part only of the Members of the Commons Houſe, meeting in the Houſe, under the Armies force, when all the reſt of the Members are forcibly reſtrained, ſecluded, or ſcared away by the Armies violence, and repreſenting not above one eighth part of the Counties, Cities & Boroughs of the Kingdom, without the conſent and againſt the Vote of the majority of the Members, excluded and chaſed away, and of the Houſe of Peers, by any pretext of Authority, Law, or Juſtice, can erect a New great Court of Juſtice to try the King, in whom all the reſt of the Members, Peers and Kingdom (being far the Major part) have a greater Intereſt than they? Whether ſuch an High Court can be erected without an Act of Parl. or at leaſt an Ordin. of both Houſes, and a Commiſſion under the Great Seal of *England?* And if not, whether this can be properly called a Court of Juſtice? and whether it be ſuperiour or inferiour to thoſe who erected it? who either cannot or dare not try and condemn the King in the Com. Houſe; though they now ſtile it, *The Supreme Authority of the Kingdom*; and whether all who ſhall ſit as Judges, or act as Officers in it, towards the Depoſing or taking away the Kings life be not really guilty of High Treaſon, and all thoſe who were aiding or aſſenting to the erection thereof in ſuch an irregular manner, by the Laws and Statutes of this Realm?

5. Whether thoſe who are profeſſed Enemies to the King, and by their Remonſtrances, Speeches, and actions, profeſs they deſire his blood and ſeek his life, can either in Law or Conſcience be reputed competent Judges to try him for his life? It being a juſt exception to any Jury man, who is to try the baſeſt or pooreſt Felon, and a legal challenge for which he muſt be withdrawn; that he is a profeſſed Enemy and Proſecutor who ſeeks his life, and therefore no lawfull nor indifferent trier of him for it.

6. Whether the triall and taking away of the Kings life by ſuch

ſuch an illegal and arbitrary High Court of Juſtice, as this, will not prove a moſt dangerous inlet, to the abſoluteſt tyranny and bloodieſt butchery ever yet heard of, or practiſed in this, or any other Nation? and a ready way to teach us, how to chop off one anothers heads, till we are all deſtroyed? For if they may take away the Kings head in it without, and againſt all rules of Law: then by the ſame or ſtronger reaſon, they may in like manner chop off the heads of any Nobleman, Peer, Member, Gentleman or inferiour ſubject for any imaginary Treaſon or offence, and confiſcate their Eſtates, there being no aſſurance they will ſtop at the Kings: and if thoſe who are confeſſed to be the Majority of the Com. Houſe, and therefore excluded, or the Prince of *Wales*, next Heir to the Crown, or the Malignant party, or any other Faction whatſoever which may ariſe, ſhould at any time hereafter get the upper hand by the peoples general adhering to them, or any diviſions of the Army, or by any means Gods providence ſhould adminiſter (who hath thouſands of ways to pull down the proudeſt Tyrants, and diſſipate the ſtrongeſt Armies in a moment; as he did *Senacheribs*, the Midianites, the Moabites, and Ammonites, with ſundry others recorded in ſacred Writ, and prophane Stories, and the Scots Army but few months ſince) they may by like authority and preſident erect the like new Court, to cut off the heads of all the Members now ſitting, and of the preſent General Councel of the Army, and all the Commiſſioners acting in this new Court; and ſo fall a murthering and butchering one another, till we were all deſtroyed one by another, and made a ſpectacle of moſt unnatural tyranny, and cruelty to the whole world, Angels, and men, and a prey to our common Enemies. Upon which conſideration, let every man now ſeriouſly lay his hand upon his own breaſt, and ſadly conſider what the bloody tragical iſſue of this new *Phaleris* Bull, may prove to him or his; and whether every Free-born Engliſh-man (eſpecially of Nobleſt birth, and ampleſt Eſtate) be not deeply obliged in point of prudence and conſcience to uſe his utmoſt endeavour with hazard of life and eſtate, to prevent the erection of ſuch an exorbitant and illegal Authority, in the very riſe and foundation, ere it be over late; and not patiently ſuffer a raſh and inconſiderate number of Hotſpurs (of mean condition and

The Anſwer of the General Councel of Officers touching the ſecluded Members, Jan. 3. 1648.

and broken deſperate fortunes for the moſt part) out of private malice, fear or deſigns to ſecure and inrich themſelves by the ruines of others of better fortune and quality; to ſet up ſuch a new ſhambles to butcher and quarter the King, Nobles, Parliament-men, Gentlemen, and perſons of all conditions, as was never heard of among Pagans or Chriſtians, from the Creation to this preſent, and will no way ſuit with our Engliſh ſoil, already overmuch watred with Engliſh blood; and ſo deeply ingaged againſt all arbitrary and tyrannical uſurpations and proceedings (eſpecially capital) in any hands whatſoever, which have coſt us ſo much blood and treaſure to oppoſe and fight againſt for ſeven years laſt paſt.

80. The firſt days Trial of his Majeſty.

Saturday, *Jan.* 20. 1648. The new thing called *The High Court of Juſtice* ſate: *Bradſhaw* being Preſident, who had the Mace and Sword carried before him, and 20 Gentlemen (forſooth) with Partizans for his Guard, under the command of Colonel *Fox* the Tinker. An *O yes* being made, and *ſilence* commanded; the ſaid Act of the Commons for erecting the ſaid Court was read, and the Court called, there being about 70 of the Commiſſioners preſent. Then the King was brought to the Bar by Col. *Hacker* with Halberdiers, the Mace of the Court conducting him to his Chair within the Bar where he ſate. And then Preſ. *Bradſhaw* ſaid to the King *Charles Stuart King of* England; *The Commons of* England *aſſembled in Parliament being ſenſible of the great calamities brought upon this Nation, and of the innocent blood ſhed (which are referred to you as the Author of it) according to that duty which they own to God, the Nation, and themſelves, and according to that power and fundamental truſt repoſed in them by the People, have conſtituted this High Court of Juſtice, before which you are now brought, and you are to hear your Charge, upon which the Court will proceed.*

Prove this power and truſt: The whole Kingdom (in effect) deny it. So do all our Law-Books, and the Practice of all Ages.

Solicitor *Cook. My Lord, in behalf of the Commons of* England, *nd of all the People thereof, I do accuſe* Charles Stuart *here preſent of High Treaſon and miſdemeanours, and I do in the name of the Commons of* England *deſire the Charge may be read unto him.*

The King. *Hold a little.*

Preſident. *Sir, the Court commands the Charge to be read; afterward you may be heard.* The Charge was read, as followeth;

The

The Charge againſt King Charles *the Firſt, January* 20. 1648.

The Charge read.

THat the ſaid *CHARLES STUART*, being admitted King of *England*, and therein truſted with a *limited power* to govern by, and according to the Laws of the Land, and not otherwiſe; and by his Truſt, Oath, and Office, being obliged to uſe the power committed to him, *For the good and benefit of the People*, and for the preſervation of their Rights and Liberties; yet nevertheleſs, out of a *wicked deſign*, to erect and uphold in himſelf an unlimited and tyrannical power, to rule *according to his Will*, and to overthrow the Rights and Liberties of the People; Yea, to take away, and make void the Foundations thereof, and of all redreſs and remedy of miſ-government, which by the fundamental Conſtitutions of this Kingdom, were reſerved on the peoples behalf, in the right and power of frequent and ſucceſſive Parliaments, or National meetings in Councel; He, the ſaid *Charles Stuart*, for accompliſhment of ſuch his *Deſigns*, and for the protecting of himſelf and his Adherents, in his and their *wicked Practiſes* to the ſame Ends, hath traiterouſly and malitiouſly levied War againſt the preſent Parliament, and the People therein Repreſented.

Particularly, upon or about the thirtieth day of *June*, in the year of our Lord, one thouſand ſix hundred forty and two, at *Beverley* in the County of *York*; and upon, or about the thirtieth day of *July*, in the year aforeſaid, in the County of the City of *York*; and upon, or about the twenty fourth day of *Auguſt*, in the ſame year, at the County of the Town of *Nottingham*, (when, and where he ſet up his Standard of War) and alſo on, or about the twenty third day of *October* in the ſame year, at *Edgehill*, and *Keinton-field*, in the County of *Warwick*; and upon or about the thirtieth day of *November*, in the ſame year, at *Brainford* in the County of *Middleſex*; and upon, or about the thirtieth day of *Auguſt*, in the year of our Lord, one thouſand ſix hundred forty and three, at *Caveſham-bridge*, near *Redding*, in the County of *Berks*; and upon, or about the thirtieth day of *October*, in the year laſt mentioned, at, or near the City of *Glouceſter*;

ceſter: And upon, or about the thirtieth day of *November*, in the year laſt mentioned, at *Newbury*, in the County of *Berks*: And upon, or about the one and thirtieth day of *July*, in the year of our Lord, one thouſand ſix hundred forty and four, at *Cropredy-bridge*, in the County of *Oxon*: And upon, or about the thirtieth day of *September*, in the year laſt mentioned, at *Bodmin*, and other places near adjacent, in the County of *Cornwall*: And upon, or about the thirtieth day of *November*, in the year laſt mentioned, at *Newbury* aforeſaid: And upon, or about the eighth day of *June*, in the year of our Lord, one thouſand ſix hundred forty and five, at the Town of *Leiceſter*: And alſo, upon the fourteenth day of the ſame month, in the ſame year, at *Naſeby-field*, in the County of *Northampton*. At which ſeveral times and places, or moſt of them, and at many other places in this Land, at ſeveral other times, within the years aforementioned: And in the year of our Lord, one thouſand ſix hundred forty and ſix, He, the ſaid *Charles Stuart*, hath cauſed and procured many thouſands of the free-people of the Nation to be ſlain; and by Diviſions, Parties, and Inſurrections, within this Land by Invaſions from forreign parts, endeavoured and procured by Him, and by many other evil wayes and means. He the ſaid *Charles Stuart*, hath not only maintained and carried on the ſaid War, both by Land and Sea, during the years before mentioned, but alſo hath renewed, or cauſed to be renewed, the ſaid War againſt the Parliament, and good people of this Nation, in this preſent year, one thouſand ſix hundred forty and eight, in the Counties of *Kent*, *Eſſex*, *Surrey*, *Suſſex*, *Middleſex*, and many other Counties and places in *England* and *Wales*, and alſo by Sea. And particularly, He the ſaid *Charles Stuart*, hath for that purpoſe, given Commiſſions to his Son, the Prince, and others, whereby, beſides multitudes of other Perſons, many ſuch, as were by the Parliament intruſted and imployed for the ſafety of the Nation; being by Him or his Agents corrupted; to the betraying of their Truſt, and revolting from the Parliament, have had entertainment and commiſſion, for the continuing and renewing of War and Hoſtility, againſt the ſaid Parliament and People, as aforeſaid. By which cruel and unnatural Wars by Him, the ſaid *Charles Stuart*, levyed, continued, and renewed, as

aforeſaid, much Innocent blood of the Free-people of this Nation hath been ſpilt, many Families have been undon, the Publick Treaſury waſted and exhauſted, Trade obſtructed, and miſerably decayed, vaſt expence and damage to the Nation incurred, and many parts of the Land ſpoyled, ſome of them even to deſolation.

And for further proſecution of his ſaid evill Deſigns, He, the ſaid *Charles Stuart*, doth ſtill continue his Commiſſions to the ſaid Prince and other Rebels and Revolters, both Engliſh and Forraigners; and to the Earl of *Ormond*, and to the Iriſh Rebels and Revolters, aſſociated with him; from whom further Invaſions upon this Land are threatned, upon the procurement and on the behalf of the ſaid *Charles Stuart*.

All which wicked Deſigns, Wars, and evill practiſes of him the ſaid *Charles Stuart* have been, and are carried on, for the advancing and upholding of the Perſonall Intereſt of Will and Power, and pretended prerogative to himſelf and his Family againſt the Publick Intereſt, Common Right, Liberty, Juſtice and Peace of the people of this Nation, by, and for whom He was entruſted, as aforeſaid.

By all which it appeareth, that He, the ſaid *Charles Stuart* hath been, and is the Occaſioner, Author, and Contriver of the ſaid unnaturall, cruell and bloudy Wars, and therein guilty of all the treaſons, murthers, rapines, burnings, ſpoiles deſolations damage and miſchief to this Nation, acted or committed in the ſaid Wars or occaſioned thereby.

And the ſaid *John Cook*, by proteſtation (ſaving on the behalf of the people of *England*, the liberty of Exhibiting at any time hereafter, any other Charge againſt the ſaid *Charles Stuart*; and alſo of replying to the Anſwers which the ſaid *Charles Stuart* ſhall make to the premiſſes, or any of them, or any other Charge that ſhall be ſo exhibited) doth for the ſaid treaſons and crimes on the behalf of the ſaid people of England, Impeach the ſaid *Charls Stuart*; as a Tyrant, Traytor, Murtherer, and a publick and implacable Enemy to the Commonwealth of *England*: and pray, that the ſaid *Charles Stuart*, King of *England*, may be put to anſwer all and every the premiſes, that ſuch Proceedings, Examinations, Tryals, Sentence, and Judgment may be thereupon had, or ſhall be agreable to Juſtice.

The

The King ſmiled often during the reading of the Charge, eſpecially at theſe words: *Tyrant, Traytor, Murderer, and publick Enemy of the Commonwealth.*

Preſident. Sir, you have now heard your Charge you find that in the cloſe of it, it is prayed to the Court in behalf of the Commons of *England*, that you anſwer to your Charge which the Court expects.

King. *I would know by what power I am called hither? I was not long ago in the* Iſle of Wight, *how I came there is a longer ſtory, than I think fit at this time for me to ſpeak: But there I entred into a Treaty with both Houſes of Parliament, with as much faith as is poſſible to be had of any people in the World: I Treated there with a number of Honorable Lords and Gentlemen, and treated honeſtly and uprightly, I cannot ſay, but that they did very nobly with Me: We were upon a Concluſion of the Treaty. Now I would know by what lawfull Authority* (there are many unlawfull Authorities, Thieves and Robbers on the High-way) *I was brought from thence, and carried from place to place?* (and I know not what) *and when I know by what lawful Authority, I ſhall anſwer. Remember I am your King, your lawfull King, and what ſins you bring upon your own heads, and the judgement of God upon this Land, think well upon it, think well upon it, I ſay, before you go on from one ſin to a greater, therefore let me know by what lawfull Authority I am ſeated here? and I ſhall not be unwilling to Anſwer. In the meane time I ſhall not betray My Truſt: I have a truſt committed to Me by God, by old and lawfull deſcent; I will not betray it to anſwer to a new unlawfull Authority.*

Bradſhaw Preſ. If you had been pleaſed to have obſerved what was hinted to you by the Court at your firſt coming hither you would have known by what Authority: which Authority requires you in the name of the people of *England*, of whom you are Elected *KING*, to anſwer them.

King. *I deny that.*

Bradſh. If you acknowledge not the Authority of the Court, they muſt proceed.

King. *I do tell them ſo,* England *was never an Elective Kingdome, but an Hereditary Kingdome, for neer theſe thouſand yeares: Therefore let Me know by what lawfull Authority I am called hither?*

I do ſtand more for the Liberty of my People than any here that come to be my pretended Judges: and therefore let me know by what lawfull Authority, and I will Anſwer, otherwiſe I will not Anſwer.

Bradſh. Sir, How really you have managed your truſt is known: your way of anſwer is to interrogate the Court, which beſeems not you in this condition; you have bin told of it twice or thrice.

King. *Here is Lievt.* Colonell Cobbet, *aske him, if he did not bring me from the* Iſle of Wight *by force? I do not come here as ſubmitting to the Court; I will ſtand as much for the priviledge of the House of Commons rightly underſtood, as any man here whatſoever; I ſee no House of Lords here that may conſtitute a Parliament and (the King too) ſhould have been.* Is this the bringing the King to His Parliament? Is this the bringing an end to the Treaty on the publick Faith? *Let me ſee a Lawfull Authority warranted by the Word of God, the Scriptures, or by the conſtitutions of the Kingdome. I will not betray my Truſt, nor the Libertys of the People; I am ſworn to keep the peace by that duty I owe to God, and My Country: and I will do it to the laſt breath in My body. As it is a ſin to withſtand lawfull Authority, ſo it is to ſubmit, To a Tyrannicall, or any otherwiſe unlawfull Authority.*

Brutiſh. *Bradſh.* The Court expects your finall anſwer, and will adjourn till Munday next: we are ſatisfied with our Authority that are your Judges, and it is upon Gods Authority and the Kingdoms and that peace you ſpeak of will be kept in doing Juſtice, and Note. that's our preſent work. So the Court adjourned, and the King was conducted back; They had ſo contrived it, that divers Schiſmaticall Souldiers, and Fellows were placed round about the Court to cry *Juſtice, Juſtice,* when the King was remanded thinking all the reſt of the people would have bleated to the ſame tune, but they (almoſt all) cryed *God bleſſe him,* and were (ſome of them) well cudgelled by the Souldiers for not ſaying their prayers handſomly after the mode of the Army; one barbarous Souldier (it is confidently reported) ſpat in the Kings face as he bauled for *Juſtice:* The King only ſaying, *My Saviour ſuffered more for my ſake,* wiped it off with his Handkerchief, yet the Court took no nocice of this Affront, ſo far was His Majeſty already fore-judged and condemned to ſufferings.

Whether this were the firſt day, or afterwards I know not.

Munday

Munday, *Jan.* 22. The KING was brought again to His Trial. 81. The second Tryes Trial of his Majesty.

Sollicitor COOK, *May it pleaſe your Lordſhip, I am at the laſt Court in behalf of the Commons of* England, *exhibite, and give in to this Court a charge of high Treaſon, and other high crimes againſt the Priſoner at the Bar; whereof I do accuſe him in the name of the people of* England, *and the charge was read unto Him, and his Anſwer required: My Lord, He was not then pleaſed to give an Anſwer, but inſtead of anſwering did diſpute the Authority of this High Court: My humble motion to this High Court in behalf of the Kingdome of* England, *is, That the Priſoner may be directed to make a poſitive Anſwer, either by way of confeſſion, or Negation; which, if He ſhall refuſe to do, That the matter of charge may be taken* pro confeſſo, *and the Court may proceed according to Juſtice.*

Bradſh. Sir, you may remember at the laſt Court you were told the occaſion of your being brought hither, and you heard a charge read againſt You, &c. You hear likewiſe what was prayed in behalf of the People, That you ſhould give an Anſwer to that charge: You were then pleaſed to make ſome ſcruples concerning the Authority of this Court, and knew not by what Authority You were brought hither: You did divers times propound your Queſtions, and were as often Anſwered, That it was by Authority of the Commons of *England*, Aſſembled in Parliament, that did think fit to call You to account for thoſe High and capital Miſdemeanours, wherewith You were then charged. Since that the Court hath taken into conſideration what You then ſaid, they are fully ſatisfied with their own Authority, and they hold it fit you ſhould ſtand ſatisfied therwith too; And they do require that you do give a poſitive and particular Anſwer to this Charge exhibited againſt you; they expect you ſhould either confeſs or deny. If you do deny, it is offered in the behalf of the Kingdome to be made good againſt you, Their Authority they do avow to the whole world, that the whole Kingdom are to reſt ſatisfied therein, and You are to reſt ſatisfied in it; and therefore You are to give a poſitive Anſwer.

Without any Law, Preſident, rational debate, or Arguments to prove it: Only brutiſh Tyranny.

King. *When I was here laſt, its true, I made that Queſtion; and truly, if it were only my own particular caſe, I would have ſatisfied My ſelf with the Proteſtation I made here the laſt time, againſt the*

Legality

Legality of this Court, and that a King cannot be tryed by any Superiour Juriſdiction upon earth: but it is not my caſe alone, it is the Freedom, and the Liberties of the People of England, *and (do you pretend what you will) I ſtand more for their Liberties; for if Power without Law may make Lawes, nay, alter the Fundamental Lawes of the Kingdom, I do not know what Subject he is in* England *that can be ſure of his Life, or any thing that he calls his own. Therefore, when I came hither, I did expect particular Reaſons to know by what Law, what Authority, you proceed againſt me here? and therefore I am a little to ſeek what to ſay to you in this particular, becauſe the Affirmative is to be proved; the Negative (often) is very hard to do. I ſhall tell you my Reaſons as ſhort as I can. All proceedings againſt any man whatſoever*——

False. *Bradſh.* Sir, I muſt interrupt you; what you do is not agreable to the proceedings of any Court of Juſtice: You are about to enter into argument and diſpute concerning the Authority of this Court before whom you appear as a Priſoner, and are charged as a High Delinquent; you may not diſpute the Authority of this Court, nor will any Court give way unto it, you are to ſubmit to it, &c.

King. *Under favour; I do plead for the Liberty of the people of* England *more than you do; and therefore, If I ſhould impoſe a belief upon any man without Reaſons given, it were unreaſonable.*

Oh bruitiſh Aſinine Kingdome, to be governed by an up-ſtart Authority, without uſe of Reaſon. *Bradſh.* Sir, I muſt interrupt You: You may not be permitted You ſpeak of Law and Reaſon, and there is both againſt you, Sir, the Vote of the Commons of *England* aſſembled in Parliament, is the reaſon of the Kingdom, and they are thoſe that have given you that Law, according to which you ſhould have Ruled and Raigned; Sir, It will be taken notice of, that you ſtand in contempt of the Court, and your contempt will be recorded accordingly.

King. *I do not know how a King can be a Delinquent, but by all Laws that ever I heard, all men may put in Demurrers againſt any proceedings as illegall: and I do demand that, if you deny that, you deny reaſon.*

Over-rule a Demurrer without Argument: *Bradſh.* Sr. Neither you, nor any man are permitted to diſpute If a man may not demur to the Juriſdiction of any Court, that Court may enlarge its bounds, and become a Corporation of Tyrants.

that

that Point, You are concluded; You may not demur to the Juriſdiction of the Court, if You do, I muſt let you know, that they overrule Your demurrer, they ſit here by the Authority of the Commons of *England*, and all Your Predeceſſors and You, are reſponſible to them.

King. *I deny that, ſhew Me one Preſident.*

Bradſh. Sir, You ought not to interrupt while the Court is ſpeaking to you; this point is not to be debated by you, if you offer it by way of Demurrer, to the Juriſdiction of the Court, they have conſidered of their Juriſdiction, they do affirm their own Juriſdiction.

King. *I ſay Sir, by your favour, That the Commons of* England *were never a Court of Judicature; I would know how they came to be ſo?*

Bradſh. Sir, you are not to be permitted to go on in that Speech, and theſe diſcourſes.

Then the Clerk of the Court read, as followeth:

Charles Stuart, King of *England*, you have been accuſed in the behalf of the people of *England*, of High Treaſon, and other high crimes, the Court hath determined that you ought to anſwer the ſame.

King. *I will anſwer the ſame ſo ſoon as I know by what Authority you do this.*

Bradſh. If this be all that you will ſay, then Gentlemen, you that brought the Priſoner hither, take charge of him back again.

King. *I do require that I may give My Reaſons why I did not Anſwer, and give Me time for that.*

Bradſh. Sir, 'Tis not for Priſoners to require.

King. *Priſoners!* Sir, *I am not an ordinary Priſoner.*

Bradſh. The Court have affirmed their Juriſdiction, if You will not Anſwer, We ſhall give order to Record your default.

King. *You never heard my Reaſons yet.*

Bradſh. Sir, Your Reaſons are not to be heard againſt the higheſt Juriſdiction.

King. *Shew Me that Juriſdiction where Reaſon is not to be heard?*

Reaſons are not to be heard againſt a remaining faction of the Commons of *England*.

Bradſh. Sir, we ſhew it you here, the Commons of *England*, and the next time you are brought, You will know more of the pleaſures of Court, and it may be, their final Determination.

King.

[91. *Banbury-Caſtle* obtruded upon the State.

27. *May* A friend of my Lord *Say's* moved in the Houſe of Commons, *That* Banbury-Caſtle *might be demoliſhed to prevent any ſurpriſe thereof by Malignants*, ſaying, *it had already coſt the State* 200000l. *to reduce it, and had undone the Country, which was unable to pay for it: it belonged to a Noble, Godly perſon, the L.* Say, *and it was not fit to demoliſh it without his conſent and recompence; it was therefore deſired the State ſhould bear the charge, his Lordſhip being willing to ſell it for* 2000l. To which was anſwered, *That other well-affected Gentlemen had their Houſes deſtroyed for ſervice of the State, without recompence, not ſo well provided to bear the loſs as my Lord* Say; *as Mr.* Charles Dorly, *two handſome habitable Houſes, Mr.* Vachell, *ſome Houſes in* Reading, *and others well deſerving of the State, though not of themſelves.* This Caſtle was unhabitable, a rude heap of ſtones, a publick nuſance to the Country. It coſt his Lordſhip but 500l. and now to obtrude it upon the State at 2000l. price, in ſo great a ſcarcity and want of money, the Kingdom groning under Taxes, was not reaſonable. So Divine providence not ſaying *Amen* to it, this Cheat failed like the untimely birth of a Woman.

92. The Impeached Lords, Members and Aldermen.

About the beginning of *June*, a debate hapned in the Houſe of Commons about the four impriſoned Aldermen, occaſioned by a Petition from the City, and concerning the impeached Lords and Commons. Mr. *Gewen* ſpake modeſtly in their behalf, ſaying, *That what they did was done by virtue of an Ordinance of Parliament made this very Seſſions of Parliament, and without any intent to raiſe a new war, but only to defend the City againſt the menaces of the Army marching up againſt them and the Parliament.* But Mr. *Gourdon* (a man hot enough for his zeal to ſet a Kingdom on fire) Anſwered, *He thought they intended a new War, and were encouraged thereto by the Gentleman that ſpake laſt; when he ſaid to them at their Common-council, Up and be doing:* Mr. *Walker* (perceiving Mr. *Gewen* to be cauſleſly reflected upon) replied, *that ſince this debate upon the City Petition tended towards a cloſing up of all differences, it was unfit, men that ſpake their conſciences freely and modeſtly ſhould be upbraided with Repetitions tending to diſ-union,* and deſired men might not be permitted to vent their malice under colour of ſhewing their zeal: when preſently, *Thomas Scot*, the Brewers-clerk (he that hath a Tally of every mans faults but his

own

own hanging at his Girdle by vertue of his Office, being Deputy Inquiſitor, or Hangman to *Miles Corbet* in the clandeſtine Committee of examinations) replyed upon Mr. *Walker*, *That the Gent. that ſpake laſt was not ſo well-affected, but that the cloſe Committee of Examinations, would find cauſe to take an order with him ſhortly:* Mr. *Walker* offered to anſwer him, and demanded the Juſtice of the Houſe, but could not be heard: thoſe that ſpake in behalf of the Aldermen, were often affronted, and threatned with the diſpleaſure of the Army, which they alleged, *would be apt to fall into diſtempers if we diſcharged them.* Notwithſtanding theſe menaces, it was voted, that *the Houſe would not proſecute their Impeachments againſt the ſaid four Aldermen*, Sir John Maynard, *and the ſeven Lords; and that they would proceed no farther upon their Order for impeaching Mr.* Hollis, Sir William Waller, &c. Two or three dayes after, a motion was ſet on foot, *That the Order whereby the ſaid Members were diſabled from being of the Houſe might be revoked*, many zealots argued fiercely, and threatned againſt it; amongſt many arguments for them, a Preſident was inſiſted upon, *That Maſter* Henry Martin *was by Order diſabled from being a Member, yet was afterwards readmitted upon his old Election*: and deſired theſe Gentlemen might find equall juſtice. The Houſe having freed them *à culpa*, could not in equity but free them *à pœna*, and put them in the remainder of all that belonged to them. But Sir *Peter Wentworth* anſwered, *That Mr.* Martins *caſe and theirs differed: Mr.* Martin *was expelled for words ſpoken againſt the King, ſuch as every mans conſcience told him were true; but becauſe he ſpoke thoſe words unſeaſonably, when the King was in good ſtrength, and the words (whether true or falſe) were in ſtrictneſſe of Law, Treaſon: the Houſe* (eſpecially the lukewarm men) *conſidering the doubtfull events of War, diſabled and committed him, leſt the whole Houſe might be drawn in compaſs of High Treaſon for conniving at them*: which was a prudential Act contrary to juſtice, and contrary to the ſenſe of the Godly and honeſt party of the Houſe. But afterwards (the King growing weaker, and the Parliament ſtronger) the Houſe reſtored Maſter *Martin*, and thought fit to ſet every mans tongue at liberty to ſpeak truth even againſt the King himſelf; and now every day words of a higher nature are ſpoken againſt him, by the well-affected

Justice, knows no respect of Person.) you are to give your positive and final Answer in plain English, whether you be guilty or not guilty of these Treasons laid to your charge.

King. *When I was here Yesterday, I did desire to* speak for the Liberties of the people of *England*, I was interrupted; *I desire to know yet*, whether I may speak freely or not?

Bradsh. *Sir, You have had the resolution of the Court, upon the like question the last day, & you were told*, that having such a charge of so high a nature against you, your work was, that you ought to acknowledge the Jurisdiction of the Court, and to answer to your charge, *when you have once answered, you shall be heard at large, make the best defence you can: But Sir, I must let you know from the Court*, (*as their commands*) That you are not to be permitted to issue out into any other discourses till such time as you have given a positive answer concerning the mater charg'd upon you.

King. *For the charge I value it not a Rush*, it is the Liberty of the people of England *that I stand for; for me to* acknowledge a new Court *that I never heard of before, I that am your* KING, *that should be an example to all the people of* England, *to* uphold Justice, to maintaine the old Lawes, *Indeed, I do not know how to do it: you spoke well the first day that I came here*, (*on Saturday*) of the Obligations that I had laid upon me by God, to the maintenance of the Liberties of my people, *the same Obligation you spake of*, I do acknowledge to God, that I owe to him, and to My People, to defend as much as in me lies, the antient Laws of the Kingdome; *therefore untill that I may know, that* this is not against the fundamentall Laws of the Kingdome, *I can put in no particular Answer, if you will give me time, I will shew you my Reasons, and this*------ here being interrupted, the King said again, *By your favour, you ought not to interrupt me, How I came here I know not; there's no Law for it* to make your King your Prisoner; *I was in a Treaty upon the publick Faith of the Kingdom, that was the known---- two Houses of Parliament*, that was the *Representative of the Kingdom, and when I had almost made an end of the Treaty, then I was hurried away & brought hither, and therefore--*

Whether these breaches and interruptions were made by Bradshaw, or whether are omissions and expunctions of some material Parts of the King's Speech which this licensed Penman durst not set down; I know not, I hear much of the Argument is omited, & much depraved, none but licensed men being suffered to take Notes

Bradsh.

Bradsh. Sir, You must know the pleasure of the Court.

King. *By your favour Sir,---*

Bradsh. Nay Sir, by your favour, You may not be permitted to fall into those Discourses: You appear as a Delinquent, You have not acknowledged the Authority of the Court, the Court craves it not of You, but once more they command You to give your positive Answer. Clerk, Do your Duty.

King. *Duty Sir!*

The Clerk reads.

Charles Stuart, *King of* England, *You are accused in behalf of the Commons of* England *of diverse high Crimes and Treasons; which Charge hath been read unto You, The Court now requires You to give Your positive and final Answer, by way of confession or denial of the Charge.*

King. *Sir, I say again to you, so that I may give satisfaction to the People of* England, *of the clearness of My proceedings, not by way of answer, not in this way, but to satisfie them that I have done nothing against that Trust that hath been committed to Me, I would do it; but to acknowledge a New Court against their Priviledges, to alter the fundamental Laws of the Kingdome, Sir, you must excuse me.*

Bradsh. *Sir, This is the third time that You have publickly disavowed this Court, and put an affront upon it; how far You have preserved the priviledges of the people, Your actions have spoken; but truly Sir, mens intentions ought to be known by their actions, You have written Your meaning in bloody Characters throughout the whole Kingdome; but Sir, you understand the pleasure of the Court, Clerk, Record the default, and Gentlemen, you that took charge of the Prisoner take him back again.* So the King went forth with His Guards, and the Court adjourned to the Painted Chamber; the Cryer as at other times) crying, *God bless the Kingdome of England.*

83. The fourth and last day's Trial of His Majesty.

Saturday, 27. *Jan.* 1648. The Court sate again in *Westminster-hall*, the President was in his Scarlet Robes, after him 87 Commissioners answered to their Names; The King came in, in His wont-

wonted poſture with his Hat on, a Company of Souldiers and Schiſmaticks placed about the Court to cry for *Juſtice, Judgement,* and *Execution*; The people not daring to cry, *God bleſs Him,* for fear of being again beaten by the Souldiers.

Bradſh. *Gentlemen, it is well known to all, or moſt of you here preſent, that the Priſoner at the Bar hath been ſeveral times convented, and brought before this Court, to make Anſwer to a charge of High Treaſon, and other high crimes exhibited againſt Him, in the Name of the People of* England; *to which Charge being required to Anſwer, He hath been ſo far from obeying the Commands of the Court, by ſubmitting to their Juſtice, as He began to take up n Him Reaſoning and Debate unto the Authority of the Court, And to the Higheſt Court that appointed them to Try and to Judge Him; but being over-ruled in that, and required to make His Anſwer, He ſtill continued contumacious, and refuſed to ſubmit to Anſwer. Hereupon the Court (that they may not be wanting to themſelves, nor the Truſt repoſed in them, nor that any mans wilfulneſs prevent Juſtice) they have conſidered of the charge, of the contumacy, and of that confeſſion which in Law doth ariſe on that contumacy; they have likewiſe conſidered the notiority of the Fact charged upon this Priſoner; and upon the whole matter, they are reſolved, and have agreed upon a Sentence to be pronounced againſt this Priſoner, but in reſpect He doth deſire to be heard before the Sentence be read, and pronounced, the Court hath reſolved to hear Him; yet Sir, thus much I muſt tell you beforehand (which you have been minded of at other Courts) that if that which you have to ſay, be to offer any debate concerning the Juriſdiction, You are not to be heard in it; You have offered it formerly, and you have ſtruck at the root,* that is, *the Power and Supreme Authority of the Commons of* England, *which this Court will not admit a Debate of; and which indeed is an irrational thing in them to do, being a Court that act upon Authority derived from them. But Sir, if you have any thing to ſay in defence of your ſelf concerning the matter charged, the Court hath given me in commands to hear You.*

King. *Since I ſee that you will not hear any thing of debate concerning that which I confeſs I thought moſt material, for the peace of the Kingdome, and for the liberty of the Subject, I ſhall wave it; but only I muſt tell you, that this many a day all things have been taken*

away

away from Me, but that that I call dearer to Me than My life, which is My Conſcience and Mine Honour: And if I had a reſpect of my life, more than the peace of the Kingdome, and the liberty of the Subject, certainly I ſhould have made a particular defence for My life, for by that at leaſtwiſe, I might have delayed an ugly Sentence, which I believe will paſs upon Me; therefore certainly Sir, as a man that hath ſome underſtanding, ſome knowledge of the world (if that my true zeal to my Country had not overborn the care that I have for My own preſervation) I ſhould have gone another way to work, than that I have done: Now Sir, I conceive that a haſty Sentence once paſſed may ſooner be repented of than recalled; and truely, the ſelf-ſame deſire that I have for the peace of the Kingdome and the liberty of the Subject, more than My own particular ends, makes Me now at laſt deſire, that I having ſomething to ſay that concerns both, I deſire, before Sentence be given, that I may be heard in the Painted-Chamber *before the Lords and Commons, this delay cann t be prejudicial to you, whatſoever I ſay, if that I ſay no reaſon thoſe that hear Me muſt be Judges, I cannot be Judge of that that I have: If it be reaſon, and really for the welfare of the Kingdome, and the liberty of the Subject, I am ſure it's very well worth the hearing, therefore I do conjure you, as you love that which you pretend (I hope its real) the Liberty of the Subject, and peace of the Kingdome, that you will grant Me this hearing before any Sentence paſſed; but if I cannot get this Liberty, I do proteſt that your fair ſhews of Liberty and Peace are pure ſhews, and that you will not hear your King.*

The Preſident ſaid, *This was a declining the Juriſdiction of the Court, and delay:* Yet the Court withdrew for half an hour, adviſed upon it, and ſat again.

Bradſhaw ſaid to the King, *That the Court had conſidered what He had moved, and of their own Authority; the return from the Court is this,* That they have been too much delayed by You already, and they are Judges appointed by the higheſt Authority, and Judges are no more to delay, than they are to deny Juſtice; and notwithſtanding what You have offered, they are reſolved to proceed to Sentence, and to Judgement, that is their unanimous reſolution.

The King preſſed again and again, that He might be heard by the

the Lords and Commons in the *Painted Chamber*, with great earnestness, and was as often denied by *Bradshaw*: at last, the King desired that this Motion of His might be entred.

Bradshaw began in a long Speech to declare the Grounds of the Sentence, much aggravating the Kings offences, and misapplying both Law and History to his present purpose: When *Bradshaw* had done speaking, the Clerk read the Sentence drawn up in Parchment to this effect:

84. The Sentence against His Majesty.

THat whereas the Commons of England *in Parliament had appointed them an high Court of Justice for the Tryal of* Charles Stuart *King of* England, *before whom He had been three times convented, and at the first time a charge of High Treason and other high crimes and misdemeanors was read in behalf of the Kingdom of* England, *&c.* * *Which Charge being read unto Him as aforesaid, He the said* Charles Stuart *was required to give His Answer, but He refused so to do; and so expressed the several passages at His Tryal in refusing to Answer. For all which Treasons and Crimes, this Court doth adjudge, That He the said* Charles Stuart *as a Tyrant, Traytor, Murtherer, and a publick Enemy shall be put to Death, by severing of His Head from His Body.*

* Here the Clerk read the aforesaid Charge.

After the Sentence read, the President said, *This Sentence now read and published, it is the Act, Sentence, Judgement, and resolution of the whole Court:* Here the whole Court stood up, as assenting to what the President said.

King. *Will you hear Me a word Sir?*

Bradshaw. Sir, You are not to be heard after the Sentence.

King. *No Sir!*

Bradshaw. No, Sir, by your favour Sir! Guard, withdraw your Prisoner.

King. *I am not suffered to speak; Expect what Justice other people will have.*

These

These are the names of such persons as did actually sit as Judges upon the Trial of His Majesty, with the Councel and Attendants of the Court.

Serjeant *John Bradshaw*, President.
Oliver Cromwell, L. Gen.
Com. Gen. *Ireton.*
Major Gen. *Skippon.*
Sir *Hardresse Waller.*
Col. *Thomas Harrison.*
Col. *Edward Whalley.*
Col. *Thomas Pride.*
Col. *Isaac Ewer.*
Col. *Rich. Ingolsby.*
Sir *Henry Mildmay.*
Thomas Lord *Grey.*
Philip Lord *Lisle.*
Will. Lord *Munson.*
Sir *John Danvers.*
Sir *Tho. Maleverer.*
Sir *John Bowcher.*
Sir *James Harrington.*
Sir *William Brereton.*
Wil. Hemmingham, Esq.
Isaac Pennington, Ald.
Thomas Atkins, Ald.
Col. *Rowland Wilson.*
Sir *Peter Wentworth.*
Col. *Henry Martyn.*
Col. *William Purefoy.*
Col. *Godfrey Bosvil.*
Col. *John Berkstead.*
Sir *Will. Constable.*
Col. *Edward Ludlow.*
Col. *Jo. Hutchingson.*
Col. *Robert Tichburne.*
Col. *Owen Roe.*
Col. *Adrian Scroop.*
Col. *John Okey.*
Col. *John Harrison.*
Col. *John Desborough.*
Cornelius Holland, Esq.
Miles Corbet, Esq.
Francis Allen, Esq.
Peregrin Pelham, Esq.
John Gourdon, Esq.
Serj. *Francis Thorp.*
Tho. Challoner, Esq.
Col. *John Moore.*
John Allured, Esq.
Col. *Francis Lassels.*
Henry Smith, Esq.
James Challoner, Esq.
Deane Bond, Esq.
Humph. Edwards, Esq.
Gregory Clement, Esq.
John Fray, Esq.
Tho. Wogan, Esq.
Sir *Greg. Norton.*
Col. *Edm. Harvey.*
John Dove, Esq.
John Venn.
John Foulke, Alder.
Thomas Scot.
Tho. Andrews, Alder.
William Cawley, Esq.
Col. *Anthony Stapely.*
John Lisle, Esq.
John Corbet, Esq.
Thomas Blunt, Esq.
Thomas Boone, Esq.
Col. *George Fleetwood.*
Col. *James Temple.*
Sir *Peter Temple.*
Col. *Thomas Wayte.*
John Browne, Esq.
William Say, Esq.
Col. *Math. Thomlinson.*
John Blackston.
Gilb. Millington.
Abraham Burrell.
Col. *J. Downes.*
Mr. *Norton.*
Lt. Gen. *Tho. Hammond.*
Nich. Love.
Vincent Potter.
Augustine Garland.
Sir *Miles Livesey.*
Jo. Dixwell.
Simon Mayne.
Daniel Blagrave.
Col. *Robert Lilburne.*
Col. *Rich. Deane.*
Col. *Hewson.*
L. Col. *W. Goffe.*
Master *Carew.*
Jo. Jones.

Counsellors assistant to this Court, and to draw up the Charge against the King, are

Doctor *Dorislaus.*
Master *Aske.*
Master *Cooke.*
Serjeant *Dendy* Serjeant at Arms.
Mr. *Phelps*, Clerk to the Court.
Messengers and Door-keepers, are Mr. *Walford*, Mr. *Radley*, M. *Pain*, M. *Powel*, M. *Hull*, and Mr. *King* Crier.

This

85. Observations upon the Tryal of His Majesty.

This is a relation of his Majesties Triall by a mixed Court of Justice erected by 50 or 60 confederate Members of the House of Commons, sitting under the power of the Army, after all the rest of the Members above 250 had been violently secured, secluded and frighted away. And in order to this design against the King, the House of Peers voted down, and yet the House of Commons (when intire) is no Court of Judicature, nor can give an Oath. Had indifferent men been permitted to take Notes, you had had a more perfect narrative; yet as it is truth shines forth to the confusion of this bloody, cheating, Tyrannical faction: could they have wrought the King to have submitted to the Jurisdiction of this Arbitrary Court, His example should have been urged as an irrefragable Precedent against the lives & liberties of the whole Kingdom, and urged to be of as great Authority, as if he established that Court by Act of Parliament. So that the King is to be looked on as a civill Martyr, dying for the Liberty of the People. And although they have failed of this device, yet they will have some other Arbitrary bloudy Inquisition to cut off the lives (without Law) of such as they desire to remove without which this Tyrannous Kingdom of the Saints or Brambles, cannot subsist; and therefore on Thursday, 2. *February*, *Cromwell* and *Ireton*, and their cannibal Council of Officers projected to get an Act passed by their House of Commons (where all their requests are commands) to inable the said Council to hang all such as they shall adjudge Disturbers of the Army, although no Members of the Army: they must have publick Slaughter-houses *in terrorem*, as well as private *ad pœnam*, the nature of their cause, and their naturall conditions requiring it. *Oliver* is a bird of prey, you may know by his bloudy Beake; so was his *Prodomus* that type and figure of him, *John of Leyden*; than whom, this fellow will shortly prove far more bloudy: you see this schismatical remnant of one House, have the impudence to usurp the supream Authority to themselves: And then to tell you, that the Votes of this petty conventicle (calling themselves the Commons) are the Law, nay, the reason of the Land, thereby divesting us of those Laws which shall distinguish us from Slaves, and denying us the use of our reason, whereby we are differenced from Beasts, and

2. Part of *Englands* liberty in Chains, *sub fine*. And the Hunting of the Foxes, &c.

expecting

expecting an implicite faith, and blind obedience from us, to all the Votes of this half-quarter of an Houſe of Commons, ſo far that they Vote obedience to the known Laws (in many caſes) to be treaſon, and what all our Laws call Treaſon, they Vote no Treaſon: Nay, ſhould they vote a Turd to be a Roſe, or *Oliv*ers Noſe a Ruby, they would expect we ſhould ſwear it, and fight for it. This legiſlative Den of Thieves erect new Courts of Juſtice, neither founded upon Law nor Preſcription, Theaters of illegal tyranny and oppreſſion, to take away mens lives Arbitrarily, for Actions which no Law makes criminous; nay for ſuch acts as the Laws command, where their proceedings are contrary to *Magna Charta*, and all our known Laws and uſages, not *per probos & legales homines*, no Juries, no ſworn Judges, authentically choſen, no Witneſſes face to face, no formal Indictment in which a man may finde errour, and plead to the juriſdiction of the Court; or where the Court ought to be of Councel with the Priſoner; but the ſame engaged and vowed Enemies, are both Parties, Proſecutors, Witneſſes, Judges (or Authorizers and Nominators of the Judges) Actors of all parts upon that ſtage of blood.

The King preſſed earneſtly (eſpecially upon Monday 22. *Jan.*) to have his Reaſons againſt the Juriſdiction of the Court heard, but was as often denied, He intended then to give them in writing, which was likewiſe rejected, ſo they were ſent to the Preſs. A true Copy whereof follows:

His Majeſties Reaſons againſt the pretended Juriſdiction of the High Court of Juſtice, which he intended to deliver in Writing on Monday, Jan. 22. 1648.

Faithfully tranſcribed out of the Original Copy under the Kings own hand.

86. His Majeſties Reaſons againſt the Juriſdiction of the high Court of Juſtice; publiſhed after His condemnation.

HAving already made my Proteſtations not only againſt the Illegality of this pretended Court, but alſo that no earthly power can juſtly call Me (who am your *King*) in queſtion as a Delinquent, I would not any more open my mouth upon this occaſion, more than to refer my ſelf to what I have ſpoken, were I alone in this caſe concerned. But the duty I owe to God in the

preſervation of the true Liberty of my people, will not ſuffer Me at this time to be ſilent: For, how can any Free-born Subject of *England* call life, or any thing he poſſeſſeth his own, if power without right daily make new, and abrogate the old fundamental Law of the Land, which I now take to be the preſent caſe. Wherefore when I came hither, I expected that you would have endeavoured to have ſatisfied Me concerning theſe grounds, which hinder Me to anſwer to your pretended Impeachment; but ſince I ſee that nothing I can ſay will move you to it (though Negatives are not ſo naturally proved as Affirmatives) yet I will ſhew you the Reaſon why I am confident you cannot judge Me, nor indeed the meaneſt man in *England*; for I will not (like you) without ſhewing a Reaſon, ſeek to impoſe a belief upon My Subjects.

93. Hereabout I was ſtopt, and not ſuffered to ſpeak any more concerning Reaſons.

There is no proceeding juſt againſt any man, but what is warranted either by Gods Laws, or the municipal Laws of the Country where he lives. Now I am moſt confident, that this dayes proceeding cannot be warranted by Gods Law, for on the contrary, the authority of obedience unto Kings, is clearly warranted, and ſtrictly commanded both in the Old and New Teſtament; which if denyed, I am ready inſtantly to prove; and for the queſtion now in hand, there it is ſaid, That *where the word of a King is, there is Power; and who can ſay unto him, what doeſt thou?* Eccleſ. 8.4. Then for the Laws of the Land, I am no leſs confident, that no learned Lawyer will affirm that an Impeachment can lye againſt the KING, they all going in his Name; and one of their Maxims is, *That the King can do no wrong.* Beſides, the Law, upon which you ground your proceedings, muſt either be old or new; if old, ſhew it; if new, tell what authority warranted by the fundamental Laws of the Land hath made it, and when. But how the Houſe of Commons can erect a Court of Judicature, which was never one it ſelf (as is well known to all Lawyers, I leave to God and the World to judge: And it were full as ſtrange that they ſhould pretend to make Laws without King or Lords Houſe, to any that have heard ſpeak of the Laws of *England*.

And admitting, but not granting, that the People of *England* Commiſſion could grant your pretended power, I ſee nothing

you

you can ſhew for that; for certainly yo never asked the queſtion of the tenth man of the Kingdome, and in this way you manifeſtly wrong even the pooreſt Plough-man, if you demand not his free conſent, nor can you pretend any colour for this your pretended Commiſſion without the conſent at leaſt of the major part of every man in *England*, of whatſoever quality or condition, which I am ſure, you never went about to ſeek, ſo far are you from having it. Thus you ſee that I ſpeak not for My own right alone, as I am your King, but alſo for the true Liberty of all My Subjects, which conſiſts not in ſharing the power of Government, but in living under ſuch Laws, ſuch Government as may give themſelves the beſt aſſurance of their lives and propriety of their goods. Nor in this muſt, or do I forget the Priviledges of both Houſes of Parliament, which this dayes proceedings doth not only violate, but likewiſe occaſion the greateſt breach of their publick Faith (I believe) ever was heard of, with which I am far from charging the two Houſes; for all the pretended crimes laid againſt Me, bear date long before this late Treaty at *Newport*, in which I having concluded as much as in Me lay, and hopefully expecting the two Houſes agreement thereunto. I was ſuddenly ſurpriſed, and hurried from thence as a Priſoner, upon which account I am againſt my will brought hither, where ſince I am come, I cannot but to My power defend the ancient Laws and Liberties of this Kingdom, together with my own juſt Right, then for any thing I can ſee the higher Houſe is totally excluded.

And for the Houſe of Commons, it is too well known that the major part of them are detained or deterred from ſitting, ſo as if I had no other, this were ſufficient for Me to proteſt againſt the lawfulneſs of your pretended Court.

Beſides all this, the peace of the Kingdom is not the leaſt in My thoughts, and what hopes of Settlement is there ſo long as power reigns without rule of Law, changing the whole frame of that Government under which this Kingdom hath flouriſhed for many hundred years (nor will I ſay what will fall out in caſe this lawleſs unjuſt proceeding againſt Me do go on) and believe it the Commons of *England* will not thank you for this change, for they will remember how happy they have been of late years

under the Reign of Queen *Elizabeth*, the King my Father, and My self, until the begining of these unhappy troubles, and will have cause to doubt that they shall never be so happy under any new. And by this time it will be too sensibly evident, that the Armes I took up were onely to defend the fundamental Laws of this Kingdom, against those who have supposed My power hath totally changed the ancient Government.

Thus having shewed you briefly the Reasons, why I cannot submit to your pretended Authority without violating the trust which I have from God, for the welfare and liberty of My People; I expect from you either clear Reasons to convince My judgement, shewing Me that I am in an error (and then truly I will readily answer) or that you will withdraw your proceedings.

This I intended to speak in *Westminster-hall* on Munday, 22. *January*; but against reason was hindered to shew My Reasons.

87. Alteration of the forms and styles of writs and legal proceedings.

The 27. *Jan.* The Commons read the Act for Altering the formes of Writs, and other proceedings in Courts of Justice, which (according to all our known Laws, the custom of all Ages, and the fundamental Government of this Kingdom) ever ran in the Kings Name. This Act upon the Question was assented to, and no concurrence of the Lords desired, of this more hereafter.

88. A Proclam. to be brought in, prohibiting the Prince of *Wales*, or any of the King's Issue to be proclaimed King of *Engl.*

The Junto of 50 or 60 Commons appointed a Committee to pen a Proclamation, That if any man should go about to Proclaim Prince *Charles*, or any of that line King of *England* (after the removal of King *Charles* the Father out of this Life,) as is usually, and ought to be done by all Mayors, Baliffs of Corporations, High-Sheriffs, &c. under high penalties of the Law for their neglect) or shall proclaim any other without the consent of the present Parliament: the Commons declare it to be High Treason; and that no man under pain of Imprisonment or such other (arbitrary) punishment, as shall be thought fit to be inflicted on them, shall speak or preach any thing contrary to the present proceedings of the Supreme Authority of this Nation, the Commons of *England* assembled in Parliament. Your hands and

feet

feet, liberties and conſciences were long ſince tied up, now you are tongue-tied.

89. The Biſhop of *Lond.* appointed by the Ho. to adminiſter ſpiritual comfort to the condemned King; and the Kings uſage by the Army. See Mr. *Jo. Geree's* Book againſt *Goodwin*, called, *Might overcomming Right*. And Mr. *Pryn's* Epiſtle to his Speech, 6 *Decemb.* 1648.

Upon motion, the Houſe ordered, that Doctor *Juxon* Biſhop of *London*, ſhould be permitted to be private with the King in His Chamber, to preach and Adminiſter the Sacraments, and other Spirituall comforts to Him: But notwithſtanding their Maſters of the Council of War, appointed that weather-cock *John Goodwin* of *Coleman ſtreet* (the *Balaam* of the Army that curſeth and bleſſeth for Hire) to be Superintendent both over King and Biſhop, ſo that they could hardly ſpeak a word together without being over-heard by the long-ſchiſmatical-ears of black-mouthed *John*: Beſides, I hear that for ſome nights a Guard of Souldiers was kept within his Chamber, who with talking, clinking of pots, opening and ſhutting of the door, and taking Tobacco there (a thing very offenſive to the Kings nature) ſhould keep him watching, that ſo by diſtempering and amazing him, with want of ſleep, they might the eaſier bring him to their bent.

90. A Paper-book of Demands tendered to be ſubſcribed by the King the Sunday before he died. See Sect. 94.

28. *January*, being the laſt Sabbath the King kept in this life, ſome of the Grandees of the Army and Parliament tendered to the King a Paper-book, with promiſe of Life and ſome ſhadow of Regality (as I hear) if he ſubſcribed it: It contained many particulars deſtructive to the fundamental Government, Religion, Laws, Liberties and Property of the People: One whereof was inſtanced to Me, *viz.* That the King ſhould (amongſt many other demands,) paſſe an Act of Parliament for keeping on foot the *Militia* of this Army during the pleaſure of the Grandees, who ſhould be truſted with that *Militia*, and with power from time to time to recruit and continue them to the number of 40000 Horſe and Foot, under the ſame Generall and Officers, with power notwithſtanding in the Council of War to chuſe new Officers and Generals from time to time, as occaſion ſhall happen, and they think fit, and to ſettle a very great Tax upon the people by a Land-Rate, for an eſtabliſhed Pay for the Army; to be collected and levied by the Army themſelves, and a Court-Martial of an exorbitant extent and latitude. His Majeſty (as I hear) read ſome few of the propoſitions, and throwing them aſide, told them he would rather becom a Sacrifice for

His

His People, than betray their Laws and Liberties, Lives, and Estates, together with the Church and Commonwealth, and the Honour of his Crown, to so intolerable a bondage of an Armed faction.

91. The Stile and Title of *Custodes Libertatis Angliæ*, voted to be used in legal Proceedings, instead of the Style of the *King*. These Goalers of the Liberties of *England* are *Individuum vagum*, not yet named. See a Continuation of this madness in an Act for better setling proceedings in Courts of Justice, according to the present Government. Dated 17. *Feb* 1648.

Monday 29. *Jan.* 1648. The Legislative half-quarter of the House of Commons, voted as followeth (hearken with admiration Gentlemen) Be it enacted by this present Parliament, and by Authority of the same, that in all Courts of Law, Justice, and Equity, and in all Writs, Grants, Patents, Commissions, Indictments, Informations, Suits, Returns of Writs, and in all Fines, Recoveries, Exemplifications, Recognizances, Process, and Proceedings of Law, Justice, or Equity within the Kingdoms of *England* or *Ireland*, Dominion of *Wales*, &c. instead of the Name, Stile, Teste, or Title of the KING heretofore used, that from henceforth the Name, Stile, Teste or Title *Custodes libertatis Angliæ, authoritate Parliamenti*, shall be used, and no other; and the Date of the year of the Lord, and none other, and that all Duties, Profits, Penalties Fines, Amerciaments, Issues, and Forfeitures whatsoever, which heretofore were sued for in the name of the KING, shall from henceforth be sued for in the name of *Custodes libertatis Angliæ, authoritate Parliamenti*; and where the words were (*Juratores pro Domino Rege*) they shall be (*Juratores pro Republica*) and where the words are (*contra pacem, dignitatem & coronam nostram*) the words from henceforth shall be (*contra pacem Publicam.*) All Judges, Justices, Ministers, and Officers are to take notice thereof, &c. and whatsoever henceforth shall be done contrary to this Act, shall be, and is hereby declared to be null and void; the death of the King, or any Law, usage or custom to the contrary notwithstanding, &c.

92. Another device to mortifie the King.

The King lay in *White-hall* Saturday (the day of his Sentence) and Sunday night so near the place appointed for the separation of his Soul and Body, that He might hear every stroak the Workmen gave upon the Scaffold (where they wrought all night) this is a new device to mortifie him, but it would not do.

93.

Tuesday, 30. *Jan.* 1648. was the day appointed for the Kings Death; He came on foot from Saint *James*'s to *White-hall* that morning: His Majesty coming upon the Scaffold, made a Speech to

to the People; which could only be heard by ſome few Souldiers and Schiſmaticks of the Faction who were ſuffered to poſſeſs the Scaffold, and all parts near it; and from their Pens only we have our Informations.

His Majeſties Speech upon the Scaffold, and his Death, or Apotheoſis.

The KING told them,

THat all the world knew He never began the War with the two Houſes of Parliament; and he called God to witneſs (to whom He muſt ſhortly give an account) He never intended to encroach upon their priviledges; They began upon Me, it was the Militia they began with, they confeſſed the Militia was Mine, but they thought fit to have it from Me; and to be ſhort, if any body will look to the Dates of the Commiſſions, Theirs, and Mine, and likewiſe to the Declarations, will ſee clearly that they began theſe unhappy Troubles.

And a little after He ſaid, *I pray God they may take the right way to the peace of the Kingdome; But I muſt firſt ſhew you how you are out of the way, and then put you into the right way; firſt, you are out of the way, for all the way you ever had yet (by any thing I could ever finde) was the way of Conqueſt, which is a very ill way, for Conqueſt is never juſt, except there be a good juſt Cauſe, either for matter of wrong, or juſt Title, and then if you go beyond the firſt Quarrel that you have, that makes it unjuſt in the end, that was juſt in the beginning: But if it be only matter of Conqueſt, then it is a great Robbery, as the Pyrat ſaid to* Alexander, *and ſo (I think) the way that you are in hath much of that way; Now (Sirs) to put you in the way, beleeve it you will never do right, nor God will never proſper you, untill you give him his*

Souldiers Rebelling againſt their Maſter or Sovereign, though they prevail, cannot claim by Conqueſt, becauſe their quarrel was perfidious, baſe, and ſinful from the beginning.

his due, the King (that is, My Successor) his due, and the People (for whom I am as much as any of you) their due.

1. *You must give God his due, by regulating rightly his Church (according to his Scripture) which is now out of order, to set you in a way particularly now I cannot, but only a National Synod freely called, freely debating amongst themselves, must settle this; when that every opinion is freely and clearly heard.*

2. *For the King, the Laws of the Land will freely instruct you, and because it concerns My self, I will only give you a touch of it.*

3. *For the people (and truly I desire their Liberty and Freedom as much as any man whatsoever) I must tel you their Liberty and Freedom consists in having such a Government, whereby their Lives and Goods may be most their own, it lies not in having a share in the Government, that is nothing pertinent to them; a Subject and a Sovereign are clean different things: and therfore until you restore the People to such a Liberty, they will never enjoy themselves. Sirs, it was for this I now come hither, if I would have given way to an Arbitrary sway, to have all Laws changed according to the power of the Sword, I needed not to have come here; and therfore I tell you (and I pray God it be not laid to your charge) that I am the Martyr of the People, &c.*

See Sect. 90.

The House had the Impudence to answer the Dutch Ambassadors, that what they had done to the King, was according to the Law of the Land. They mean, that their Lusts are the Laws of the Land, for other Law they can shew none.

This was the effect of His Majesties Speech, who shewed much Magnanimity and Christian patience, during all the time of His Trial and Death, notwithstanding many barbarous affronts put (by way of tentation) upon Him; He had his Head severed from his Body at one stroak, the Souldiers and Schismaticks giving a great shout presently.

Thus

THEROYALL OAKE OF BRITTAYNE
BIBL IA SACR.
MAG NA CHAR TA
STA TV TES
RE POR TES
Sun and Sone
Barathrum Scissi & Charibdis Vulgaribus
Kill and take possession 1. Kings 19.
Let us kill him and seize Inheritance Math 21
Quoreu cadente ligna quiuis colligit
Incertum Vulgus rumti grauis
Fatted for Slaughter
Lacus Lubricus
Diabolica

Thus this noble Prince (a Gentleman ſanctified by many afflictions) after He had eſcaped Piſtol, Poyſon, and Peſtilent air, could not eſcape the more venemous tongues of Lawyers and Pettifoggers, *Bradſhaw, Cooke, Steel, Aske* and *Doriſlaus*; Thus *the Shepherd is ſmitten, and the Sheep ſcattered.*

THe ſaid High Court of Juſtice, with the downfall of King CHARLES *the* I. *thereby, and in Him of the Regall Government, Religion, Laws, and Liberties of this ancient Kingdome is Emblematically preſented to the Readers view*: See the Figure, before the Title Page.

Preſently after this diſſolution of the King, the Commons ſent abroad Proclamations into *London*, and all *England* over, reciting, *That whereas ſeveral pretences might be made to this Crown, and Title to the Kingly Office ſet on foot, to the apparent hazard of the Publick Peace. Be it enacted and ordained by this preſent Parliament, and by the Authority of the ſame, that no perſon whatſoever do preſume to proclaim, declare, publiſh, or any waies to promote* Charles Stuart (*Son of the ſaid* Charles) *commonly called* Prince *of* Wales, *or any other perſon to be King, or chief Magiſtrate of* England *or* Ireland, *or of any Dominions belonging to them; by colour of Inheritance, Succeſſion, Election, or any other claim whatſoever, without the free conſent of the people in Parliament firſt had & ſignified by a particular Act or Ordinance, for that purpoſe, any Law, Statut. uſage or cuſtom to* 94. Proclamations publiſhed againſt proclaiming the King.

the contrary notwithſtanding; and whoſoever ſhall contrary to this Act, Proclaim, &c. Shall be deemed and adjudged a Traytor, and ſuffer accordingly.

Who ſhall judge when theſe Fellows will be thought free, and when not?

Notwithſtanding which inhibition, the 2. *Feb.* 1648. was printed and ſcattered about *London*-ſtreets this following Proclamation.

95. A Proclamation privately printed and ſcattered, proclaiming CHARLES the ſecond.

A Proclamation proclaiming CHARLES Prince of Wales, *King of* Great Britain, France *and* Ireland.

WEE the Noblemen, Judges, Knights, Lawyers, Gentlemen, Freeholders, Merchants, Citizens, Yeomen, Seamen, and other Freemen of England, *do, according to our Allegiance and Covenant, by theſe preſents heartily, joyfully, and unanimouſly acknowledge and proclaim the Illuſtrious CHARLES Prince of* Wales, *next heir of the Blood-royal to his Father King CHARLES (whoſe late wicked and trayterous murther we do from our ſouls abominate, and all parties and conſenters thereunto) to be by hereditary Birthright, and lawful ſucceſſion, rightful, and undoubted King of* Great Britain, France, *and* Ireland, *and the Dominions thereunto belonging. And that we will faithfully, conſtantly and ſincerely in our ſeveral places and callings defend and maintain his Royal Perſon, Crown, and Dignity with our Eſtates, Lives, and laſtdrop of our Bloods, againſt all Oppoſers thereof; whom we do hereby declare to be Traytors and Enemies to his Majeſty and his Kingdoms. In teſtimony whereof, we have cauſed theſe to be publiſhed and proclaimed throughout all Counties and Corporations of this Realm, the firſt day of* Feb. *in the firſt year of His Majeſties Reign.*

God ſave King *CHARLES* the *Second.*

The

The fag end of the Houſe of Commons, *Febr.*1. 1648. paſſed a thing they call an Act, That ſuch Members as had aſſented to the Vote, 5.*Decemb.* 1648. That the Kings Conceſſions were a ground for the Houſe to proceed to a ſettlement, ſhould not be re-admitted to ſit as Members: ſuch as were then in the Houſe and voted in the negative ſhould firſt enter their diſſent to the ſaid Vote, ſuch as were abſent ſhould declare their diſapproval before they ſit. Yow ſee the cheating Godly are reſolved to keep all to themſelves. 96. A Vote that ſuch Members as had aſſented to the Vote 5. *Dec.* ſhal ſit no more: others to enter their diſſent and diſapproval.

This day their tame Lordſhips ſent a Meſſage to the Houſe of Commons, but they were too ſurly to call the Meſſengers in; the ſubſtance of the Meſſage was, That their Lordſhips had appointed 7 of their Houſe to joyn with a proportionable number of Commons, to conſider of a way how to ſettle this Nation. 97. The Lords ſend a Meſſage to the Com. but the Meſſenger not called in.

Munday, 5. *Febr.* 1648. The Commons debated whether they ſhould continue the Houſe of Lords as a Court Judicatory, or Conſultory only? And the day following they put this Queſtion, Whether this Houſe ſhall take the advice of the Houſe of Lords, in the exerciſe of the Legiſlative power of the Kingdom, in purſuance of the Votes of this Houſe, 4 *Janu:* laſt. This was carried in the Negative by many Voices: in farther purſuance of which Vote, they farther voted, That the Houſe of Peers in Parliament is uſeleſs and dangerous, and ought to be aboliſhed; and that an Act be brought in for that purpoſe, and voted down their Priviledge of being exempt from Arreſts; yet they graciouſly condeſcended they ſhall be capable of being elected knights of Shires, and Burgeſſes, if any will be ſo mad as to chuſe them: yet my Lord of *Pembroke* is as much overjoyed with this gay priviledge, as if they had beſtowed a new Cap with a Bell and a Bable upon him: who will not now conclude that the Votes of this Legiſlative, this ſupreme peice of the Houſe of Commons, is the onely Law and reaſon of the Land, which leads all our Laws and reaſon captive, and is almighty againſt all but the Council of the Army. 98. The Houſe of Lords voted down.

The 8. *Febr.* came forth A Declaration and Proteſtation of the Peeres, Lords and Barons of this Realm, againſt the late treaſonable proceedings and tyrannicall uſurpations of ſome 99. A Proteſtation of the Peers.

Members of the CommonsHouſe who endeavour to ſubvert the fundamentall Laws, and Regall Government of this Kingdom, and enſlave the People to their boundleſſe Tyranny in ſtead of Freedom. The Proteſtation followeth.

WE the Peers, Lords and Barons of this Realm of England *for the preſent neceſſary vindication of the undoubted Rights and Priviledges of Parliament, and more particularly of the Houſe of Peers, the juſt Prerogatives and Perſonall ſafety of our Kings, the known Laws and Liberties of this Kingdom, the Hereditary Freedom of all the Freemen of this Nation, and our affronted and contemned Honours and Authority againſt the many late unparralleld dangerous Invaſions, and treaſonable Uſurpations of a few inſolent miſ-adviſed Members of the(late)Houſe of Commons, whiles the greateſt and ableſt part of that Houſe were forcibly detained or deter'd from thence, wherewith we find ourſelves and the whole Kingdom unſufferably injured, and deeply afflicted. Do, after a long patient expectation of their own ingenious Retractions of ſuch injuſtificable Exorbitancies which their own judgements and Conſciences cannot but condemn, whereof we now utterly deſpair; being thereto ingaged in point of Honour, Loyalty, Conſcience, Oath, and love to our Native Country, as alſo by our ſolemn League and Covenant, publickly declare and proteſt to all the world, That by the Laws and Cuſtomes of this Realm, and uſage of Parliament time-out of mind, ever ſince there were Parliaments in this Iſland, the principal Authority and Iudicatory of the Parliaments of* England *hath always conſtantly reſided, and ought ſtill to continue only in the King and Houſe of Peers, (wherein he always ſits) and not in the CommonsHouſe, who never had, claimed, nor ought to have any right or power to judge any Perſon or Cauſe civilly or criminally (having no authority to examin any Witneſſes upon Oath, and being no Court of Record) but only to accuſe and impeach Delinquents in and before the Houſe of Peers, where they always have uſed to ſtand bare-headed at their Bar; but never yet to ſtand covered, much leſs to ſit, vote, or give Judgement. And that the Houſe of Commons without the concurrent aſſent of the Houſe of Peers, and Kings of* England *never heretofore challenged nor enjoyed, nor can of right pretend to any lawful power or Juriſdiction to make or publiſh any form or binding Ordinance, Vote, Act, or Acts of Parliament whatſoever, nor ever once preſumed to paſſe any Act or*

Acts

Acts to erect a new High Court of Juſtice, to try, condemn, or execute the meaneſt Subject, leaſt of all their own Soveraign Lord and King, or any Peer of the Kingdom (who by the Common and Statute Laws of this Realm, and Magna Charta, *ought to be tried onely by their Peers and not otherwiſe) or to diſ-inherit the right Heir to the Crown, or to alter the Fundamentall Government, Laws, Great Seal, or ancient forms of proceſs and legall proceedings of this Realm, or to make or declare High Treaſon to be no Treaſon; or any Act to be Treaſon, which in it ſelf, or by the Law of the Land is no Treaſon, or to diſpoſe of any Offices in places of Judicature, or impoſe any penalties, Oaths, or Taxes on the Subjects of this Realm. And therefore we do here in the preſence of Almighty God, Angels and Men, from our hearts diſclaim, abhor, and proteſt againſt all Acts, Votes, Orders, or Ordinances of the ſaid Members of the Commons Houſe lately made and publiſhed, for ſetting up any new Court of Juſtice to try, condemn, or execute the King, or any Peers or Subject of this Realm: (which for any Perſon or Perſons to ſit in or Act as a Judge or Commiſſioner, to the condemning or taking away the life of the King, or any Peer or other Subject, We declare to be High Treaſon, and wilfull Murther, to diſinherit the Prince of* Wales *of the Crown of* England, *or againſt proclaiming him King after his Royall Fathers late moſt impious, traiterous and barberous murther, or to alter the Monarchical Government, Laws, Great Seal, Judicatories, and ancient forms of Writs, and legall proceſſe and proceedings, or to keep up, or make good any Commiſſions, Judges, or Officers, made void by the Kings bloody execution; or to continue any old, or raiſe any new Forces or Armies; or to impoſe any new Taxes, Payments, Oaths or forfeitures on the Subjects, or to take away any of their Lives, Liberties or Eſtates againſt the Fundamental Laws of the Realm, or to make any new Judges, Juſtices or Officers, or ſet aſide the Houſe of Peers) far ancienter than the Commons Houſe) and particularly this inſolent and frantick Vote of theirs,* Feb. 6. [That the Houſe of Peers in Parliament is uſeleſs and dangerous, & ought to be aboliſhed & that an Act be brought in for that purpoſe] *to be not onely void, null, and illegall in themſelves by the Laws and Statutes of this Realm, but likewiſe treaſonable, deteſtable, tyrannicall and deſtructive to the Priviledges, Rights and being of Parliaments, the juſt prerogatives and Perſonall ſafety of the Kings of* England: *the Fundamental Government and Laws of the Realm, the*

the Lives, Liberties, Properties and Eſtates of the People, and the moſt tranſcendent tyranny and uſurpation over the King, Kingdom, Parliament, Peers, Commons, and Freemen of England *ever practiſed or attempted in any Age, tending onely to diſhonor, enſlave and deſtroy this antient flouriſhing Kingdom, and ſet up Anarchy and confuſion in all places.*

All which exorbitant and trayterous Vſurpations; We and all Free born Engliſhmen, are by all obligations bound to oppoſe to the uttermoſt with our lives and fortunes, leſt we ſhould be acceſſary to our own and our poſterities ſlavery and ruin, for preventing wherof we have lately ſpent ſo much blood and treaſure againſt the Malignant party, whoſe Treaſons and Inſolencies they far exceed.

*100. The Kingly Office voted down. After almoſt 1000 years it is now diſcovered by theſe New Lights to be inconvenient to be in one hand; therfore it muſt be in the Councel of State: forty Tyrants for one King. That is, the Army and their Party.

* The 7. *Febru.* the Commons debated about the Kingly Office, and paſſed this Vote.

Reſolved, &c. By the Commons of *England* aſſembled in Parliament, that it hath been found by experience, and this Houſe doth declare, That the Office of a King in this Nation, and to have the power thereof in any ſingle Perſon is unneceſſary, burdenſome and dangerous to the liberty, ſafety, and publick Intereſt of the People of this Nation, and therefore ought to be aboliſhed, and that an Act be brought in for that purpoſe.

101. Committee bring in a liſt of Names a Councel State.

A Committee was named to bring in a liſt of names (not exceeding 40) to be a Committee of State, by Act of the Houſe of Commons. This is to pull down one King to whom we owe Allegiance; and ſet up forty Tyrants, to whom we owe no Allegiance.

102. New Commiſſions for the Judges, wherfix hold, & quit their places.

Inſtructions were given by the Commons for drawing new Commiſſions for the Judges, according to the new Antimonarchical ſtile and way, the new Great Seal being now ready, a Committee of the Houſe met the Judges about it; whereof ſix agreed to hold (upon a proviſion to be made by Act of the Houſe of Commons, that the Fundamentall Laws be not aboliſhed.) This very proviſion ſo made by Act of the Commons (beſide all their former Votes againſt Monarchy: Peerage alter-

in the ſtile of Writs, coynage of Money,&c.) is it ſelfan abolition of the Fundamental Laws: This is but a Fig-leaf to cover heir ſhame. Thoſe that held were, Of the Kings Bench, Mr. Juſtice *Rolls* and Judge *Jerman*; Of the Common Pleas, Mr. Juſtice *St. John*, and Judge *Pheaſant*; Of the Exchequer, Chief Baron *Vilde*, and Baron *Yates*; thoſe which quitted their places and ept their Conſciences, were Juſtice *Bacon*, and Juſtice *Brown*, ho. *Tho. Beddenfield*, Juſtice *Creſwel*, Baron *Treaver*, and Baron *tkins*.

103. *Cyrenceſter* e lection, But the Clerk of the Crown certified, tha between the Committeee of Elections, and himſelf, they could not finde the the Indentures of return; the Houſe therefore Ordered That they ſhould ſit, and do ſervice,

8. *Feb.* The Election of the General and Col. *Rich* at *Cyrenceſter*, which never durſt ſee the light before, after about three ears lying dormant, and no account made of it; is on a ſudden eported to the Houſe, approved of, and the Clerk of the Crown for whom they have not invented a new name yet) ordered to end the return of the Writ at the Bar.

* They likewiſe paſſed a Declaration to this purpoſe, that hey are fully reſolved to maintain, and ſhall and will uphold, reſerve and keep the Fundamental Laws of this Nation; for nd concerning the preſervation of the lives, liberties, and proerties of the People, with all things incident thereunto, with he alterations concerning Kings, and Houſe of Lords already eſolved in this preſent Parliament.

a they are Burgeſſes not returned, but ordered to ſit.* 104. A Declaration, That they will eep the Fundamental Laws (lives) why did they erect the High Court of Juſtice, and do ill continue Martial Law? (liberties) why do they preſs Seamen then? (properties) why o they levy illegal Taxes by Souldiers, and continue illegal Sequeſtrations.

Monday, Feb. 12. The Commons appointed the Circuits for thoſe Judges that held, and paſſed an Act for compleating the Judges of the ſeveral Courts, filling up the rooms of thoſe that held not, with ſome alterations in their former Commiſſions, and a new Oath to be given them, to ſwear well and truly to ſerve the Commonwealth in the Office of a Juſtice of the Upper Bench (which all our Laws call the *Kings Bench*) or Common Pleas, according to the beſt of their skill and cunning.

105. The Judges Circuits appointed, the Benches filled up, and their Oaths altered.

106. A new Oath for the Freemen of *London*, and other Corporations

The Houſe paſſed an Act that the Oath under-written, and no other, be adminiſtred to every Freeman of the City of *London* at his admiſſion, and of all other Cities, Burroughs, and Towns Corporate.

You

YOu ſhall ſwear, that you will be true and faithful to the Commonwealth of England, *and in order thereto, you ſhall be obedient to the juſt and good Government of the City of* London, *&c.*

107. An Act to repeal the Oaths of Allegiance Obedience, and Supremacy.

They paſſed an Act alſo to repeal the ſeveral Clauſes in the Statute, 1 *Eliz.* & 3 *Jacob.* enjoyning the Oaths of Allegiance, Obedience and Supremacy, That the ſaid Oaths, and all other Oaths of the like nature ſhall be, and are hereby wholly taken away, the ſaid Clauſes in the ſaid Acts be made void and null, and ſhall not hereafter be adminiſtred to any Perſon, neither ſhall any place or office be void hereafter by reaſon of the not taking of them, or any of them, any Law, Cuſtome, or Statute to the contrary notwithſtanding.

108. Another Declaration and Proteſtation of the ſecured and ſecluded Members.

In oppoſition to theſe tyrannous, deſtructive, illegal and trayterous proceedings of forty or fifty cheating Schimaticks, ſitting under the force, and promoting the Intereſts of will and power, of the rebellious Councel of Officers in the Army; The ſecured and ſecluded Members of the Houſe of Commons Declared as followeth,

A publick Declaration and Proteſtation of the ſecured and ſecluded Members of the Houſe of Commons; againſt the treaſonable and illegal late Acts and proceedings of ſome few Confederate Members of that dead Houſe, ſince their forcible Excluſion, 13. Feb. 1648.

WE the *ſecured* and *ſecluded Members* of the late *Houſe of Commons*, taking into our ſad and ſerious Conſiderations the late *dangerous, deſperate*, and *treaſonable proceedings* of ſome few Members of that Houſe (not amounting to a full eighth part of the Houſe, if divided into ten) who confederating with the Officers and General Councel of the *Army*, have forcibly detained and ſecluded us (againſt the *Honour*, *Freedom*, and *Priviledges of Parliament*) from *ſitting* and *voting* freely with them, for the better ſetling of the *Kingdoms peace*; and contrary to their *Oaths* of *Allegiance* and *Supremacy*, their *Proteſtation*, the *Solemn League and Covenant*, and ſundry *Declarations* and *Remonſtrances*

monſtrances of both *Houſes*, to His late *Murthered MAJESTY*, *His Heirs and Succeſſors*, the whole *Kingdoms* of *England*, *Scotland* and *Ireland*, and to all *forreign States* and *Nations* (ſince our excluſion and forced abſence from their *Counſels*, by reaſon of the Armies force) moſt preſumptuouſly arrogated and uſurped to themſelves the Title of, *The Supreme Authority of this Kingdome*; and by colour and pretence thereof have *wickedly* and *audaciouſly* preſumed, without and againſt our *privities* or *conſents*, and againſt the *unanimous Vote of the Houſe of Peers*, to erect a *High Court of Juſtice* (as they terme it) though never any Court themſelves, to Arraign and condemn *His Majeſty*, againſt the *Laws of God*, and the *municipal Laws* of the Realm; which *Court* (conſiſting for the moſt part of ſuch *partial* and *engaged Perſons*, who had formerly vowed *His Majeſties deſtruction*, and *ſought His blood*) moſt *illegally* and *unjuſtly* refuſed to admit of *His Majeſties juſt Reaſons* and *exceptions* againſt their *uſurped Juriſdiction*, and without any *lawful authority* or *proof* againſt Him, or *Legal Trial*, preſumed moſt *trayterouſly* and *impiouſly* to *condemn* and *murder Him*; and ſince that, have likewiſe preſumed to Try and Arraign ſome *Peers*, and others *free Subjects of this Realm* for their Lives, contrary to *Magna Charta*, the *Petition of Right*, the *Laws of the Land*, and *the liberty of the Subjects*, to the great *enſlaving* and *endangering* of the *lives* and *liberties* of all *free People* of *England*.

And whereas the ſaid *confederated Commons* have likewiſe tyrannically and audaciouſly preſumed, contrary to their *Oaths* and *Engagements* aforeſaid, to take upon them to *make Acts of Parliament* (as they terme them) without our privity or aſſents, or the joynt conſent of the *King* and *Houſe of Lords*, contrary to the Uſe and Priviledges of *Parliament* and known *Laws* of the *Land*, and by pretext thereof have trayterouſly and wickedly endeavoured to *Diſ-inherit* the Illuſtrious *CHARLES Prince of Wales*, next Heir to the Crown, and actual *KING* of *England*, *Scotland*, *France*, and *Ireland*, immediately after His ſaid *Royal Fathers barbarous Murther*, *by Right of deſcent*; and proclaimed it *Treaſon* for any Perſon to proclaim him *KING*; (whereas it is *high Treaſon* in them thus to prohibit His proclaiming) and have likewiſe trayterouſly & impudently encroached

a *tyrannical* and *lawleſs power* to themſelvès to vote down o
ancient *Kingly* and *Monarchical Govern ment*, and the *Houſe*
Peers; and to make a *new Great Seal* of *England* without the *Kin*
Portraicture or *Stile*, and to alter the ancient *Regal* and *L*
gal Stile of Writs and *proceedings* in the *Courts of Juſtice*, and
create *new Judges* and *Commiſſioners of the Great Seal*, and
diſpenſe with their *Oaths* of *Supremacy* and *Allegiance*, and
preſcribe *new Oaths* unto them contrary to Law (though the
have no *Authority* by any Law, Statute, or cuſtome to adminiſt
or injoyn an *Oath* to any man) and thereby have *trayterouſly* a
tempted to alter the fundamental *Laws* and *Government* of th
Kingdome, and to ſubvert the *freedome*, *priviledges*, and *being*
Parliaments; for which Treaſons, *Strafford* & *Canterbury* (thoug
leſs criminal) loſt their *Heads* this laſt *Parliament*, by ſome
their own proſecutions, and the judgement of both Houſes.

We in diſcharge of our reſpective duties and obligations bo
to God, the King, our own Conſciences, our bleeding, dyi
Kingdoms, and the ſeveral Counties, Cities and Burroughs f
which we ſerve, do by this preſent Writing, in our own Name
and in the Names of all the Counties, Cities, and Burroug
which we repreſented in Parliament, publickly declare, and ſ
lemnly proteſt before the All-ſeeing God, the whole Kingdo
of *England*, *Scotland* and *Ireland*, and the world, that We
from the bottome of our hearts abominate, renounce and di
claim all the ſaid pretended Acts, Votes, and proceedings of t
ſaid confederate Members (acted under the Armies power
gainſt our conſent) as treaſonable, wicked, illegal, unparliame
tary, tyrannical, and pernitious both to the King, Parliamen
Kingdoms, and all the free-born People of this Realm; extream
diſadvantagious and diſhonourable to our Nation, ſcandalous
our Religion, and meer forcible Uſurpations and Nullities vo
in Law to all intents and purpoſes; which we, and all the Fre
men of this Kingdome, and all the Kingdoms and Dominio
thereto belonging, are bound openly to diſavow, oppugne, a
reſiſt as ſuch, with our purſes, arms, lives, to the laſt drop of o
blouds, and to which, neither We, nor any other can, ought, c
dare to ſubmit or aſſent in the leaſt degree, without incurri
the guilt of *High Treaſon*, and the higheſt *perjury*, *infamy*, a
diſloyal

diſloyalty. And in caſe the ſaid confederate ſhall not ſpeedily retract, and deſiſt from thoſe their treaſonable practiſes, and tyrannical uſurpations; (which We cordially deſire and intreat them by all obligations of love and reſpect they have to God, Religion, their King, Country, and Poſterity timely to do.) We do hereby denounce and declare them to be Traytors and publick Enemies both to the King and Kingdome, and ſhall eſteem and proſecute them, with all their wilful Adherents, and voluntary Aſſiſtants as ſuch, and endeavour to bring them to ſpeedy and condign Puniſhment, according to the *Solemn League and Covenant*; wherein, We truſt the whole *Kingdom*, all thoſe for whom We ſerve, and the *Lord of Hoſts* himſelf to *whom* We have ſworn and *lifted up our hands, hearts*, and *fervent prayers*, will be aiding and aſſiſting to us, and all our Bretheren of *Scotland* and *Ireland* who are *united* and conjoyned with us in *Covenant to our* GOD, and *Allegiance* to our *Sovereign King* CHARLES *the Second*, who (we truſt) will make good all His deſtroyed *Fathers conceſſions* which really concern our *peace* or *ſafety*, and ſecure Us againſt all *force* and *tyranny* of our *Fellow-ſubjects*; who now, contrary to their Truſts and former Engagements, endeavour by the meer power of that Sword (which was purpoſely raiſed for the protection of our *Perſons, Government, Religion, Laws, Liberties, the* KINGS *Royal Perſon and Poſterity, and the Priviledges of Parliament*) to Lord it over Us at their pleaſure, and enthral and enſlave Us to their *armed violence*, and *lawleſs Martial wills*, which we can no longer tolerate nor undergo, after ſo long fruitleſs and abuſed patience in hope of their repentance.

About the ſame time came out another Paper, entituled:

109. A Paper entituled [*Four true Poſitions* &c.]

Four true and conſiderable Poſitions for the ſitting Members, the new Court of Juſtice, and new Judges, Sheriffs, Officers, Lawyers, Juſtices, and others, to ruminate upon.

1. THat the whole Houſe of Commons in no Age had any Power, Right, or Lawful Authority to make any valid or binding Act or Ordinance of Parliament; or to impoſe any Tax, Oath, Forfeiture, or capital puniſhment upon any Perſon or

Free-men of this Realm, without the *Lords* or *Kings concurrent* aſſents; much leſs then can a ſmall remnant onely of the Members of that Houſe do it, ſitting under an armed force (which nulls and vacates all their *Votes* and proceedings, as the *Ordinance* of 20 *Auguſt*, 1647. declares) whilſt moſt of their Fellow Members are forcibly detained and driven thence, as Mr. *St-John* proves in his Speech concerning Ship-mony, p. 33. and in his Argument concerning the Earl of *Strafford's* Attainder, p. 70, 71, 76, 77, 78. and Sir *Edw. Coke* in his 4. *Inſtit.* c. 1.

2. That the few Members now ſitting in, and the Houſe of Commons being no Court of Juſtice of it ſelf, and having no power to hear and determine any civil or criminal cauſes, nor to give an Oath in any caſe whatſoever, cannot by the Laws and Statutes of the Realm, nor by any pretext of authority whatſoever, erect any new *Court of Juſtice*, nor give power or authority to any new *Judges*, *Juſtices*, or *Commiſſioners* to arraign, try, condemn or execute any Subject of meaneſt quality, for any real or pretended crime whatſoever; much leſs their own Sovereign Lord the *King*, or any *Peers* of this Realm, who ought to be tryed by their Peers, and by the Law of the Land alone, and not otherwiſe. And that the condemning and executing the King, or any Peer, or other Subject by pretext of ſuch an illegal Authority, is no leſs than High Treaſon and wilful Murther, both in the Members, and Commiſſioners, Judges or Juſtices, giving and executing ſentence of death in any ſuch arbitrary and lawleſs void Court, or by vertue of any ſuch void and illegal Commiſſions.

3. That the Houſe of Commons and Members now ſitting, have no power nor authority to make or alter the Great Seal of *England*, or grant any Commiſſions to any Commiſſioners, Judges, Sheriffs, Juſtices of the Peace, or any other. That all the Commiſſions granted by them, under their New, or any other Seal, are meerly void and illegal; and all the new Writs and proceedings in Law or Equity before any Judges, Juſtices, Sheriffs, or other Officers made by them, meerly void in Law to all intents, *& coram non judice.*

4. That the denial of the KINGS Title to the Crown, and plotting the means to deprive him of it, or to ſet it upon anothers Head, is High Treaſon, within the Statute of 25. *Ed.* 3. ch. 2. And that the endeavouring to ſubvert the Fundamental Laws and

and Government of the Realm of *England* [by King, Lords, and Commons] and to introduce a tyrannicall or arbitrary Government against Law, is High Treason at the Common Law (especially in Judges and Lawyers) not taken away by any Statute. Both which Mr. *St. John* in his Argument at Law, concerning the Bill of attainder of high Treason of *Tho.* E. of *Strafford*, published by order of the Com. House, *An.* 1641. *p.* 8. 14. to 33. and 64. to 78. And in his Speech as a conference of both Houses of Parl. concerning Ship-mony, *An.* 1640. hath proved very fully by many reasons and presidents, and *Coke* in his 7. *Report*, *f.* 10, 11, 12, and 3. *Inst. c.* 1 That the Commons now sitting, in making a new Great Seal, without the Kings Image or Style, in granting new illegal Commissions to Judges, Justices of Peace, Sheriffs and other Officers, in the name of *Custodes Angliæ* in the Generall, in omitting and altering the Kings Name, Style and Title in Writs, Processe Indictments, and proceedings at the Common Law, and thereby indeavouring to dis-inherit the *Prince*, (now *lawfull King* by and since his Fathers bloudy murther) and to alter and subvert the Fundamentall Laws and Government of the Realme, by such commissions and proceedings, and by the power of an Army to enforce them; and the Judges, Justices, Sheriffs, and other Officers who accept of such Commissions, and all those (especially Lawyers) who voluntarily assist, consent, and submit to such Commissions and Alterations by such usurped illegall Authority, and the Commissioners setting in the new Courts of Justice are most really guilty of both these high * Treasons (in which there are no Accessories) and less excusable than *Strafford* or *Canterbury*, whom some of these new Judges and sitting Members impeached and prosecuted to death for those very Treasons themselves now act in a more apparent and higher degree than they, and (in respect of their oaths, covenant, callings and places) are more obliged to maintain the *Kings* Title, the Fundamental Laws and Government, the Rights and Liberties of the Kingdome and Parliament than they; and therefore (if they persevere therein) may justly expect the self-same capital punishments they underwent, if not far worse; especially since they attempt to reduce the *antientest Kingdom of all Christendom*, into the *puniest* and most *contemptible State* in all the World; and thereby to render us the most *infamous*, *perfidious* and *dishonorable*

* Whereupon six Judges refused to accept any new Commissions, or to act as Judges.

honorable Nation under Heaven, both to the preſent and all ſucceeding Ages: which muſt needs make the contrivers and Abetters thereof the moſt deteſtable Traytors and publick Enemies to their *King* and *native Country*, that ever this Realm brought forth in any Age. Repent therefore of theſe your Treaſons, and amend your lives, if you eppect the leaſt hope of pardon from God or man; and expiate all your former *high miſdemeanours*, by engaging all your power and endeavours to ſettle all things in *Church* and *State* according to your primitive engagements; inſtead of accumulating one ſin and Treaſon to another, which will prove your certain ruin in concluſion, not your ſafety.

About the ſame time, and (it's thought) from the ſame Author came forth a Paper bearing the title of,

110. Six propoſitions of undoubted verity. Another paper. Every Act of Parliament relateth to the firſtday of the ſame parl. but it cannot be, that any Act paſſed in the Reign of King *Charls* the ſecond, ſhould relate to the firſt day of this Parliament, which happened in the ſixteenth yeare of *Charles* the firſt. *ergo* this Parliament is determined by the death of King *Charles* the firſt.

Six Propoſitions of undoubted verity, fit to be conſidered in our preſent exigency by all loyall Subjects and conſcientious Chriſtians.

1. That this Parliament is *ipſo facto* Diſſolved by the Kings death; He being the Head, Beginning and End of the Parliament, called only by his Writ to confer with Him as His Parliament and Council about urgent affairs, concerning Him and His Kingdom, and ſo was it reſolved in 1. *Hen.* 4. *Rot. Parl. n.* 1. 14 *H.* 4. *Coke* 4. *Inſtit. p.* 46. *&* 4. *c.* 4. *f.* 44. *b.*

2. That immediately upon this Parliaments diſſolution by the Kings death, all Commiſſions granted by the King, or by one or both Houſes to the Generall or Officers of the Army, the Commiſſioner of the great Seal of *England*, Judges of the Kings Courts, Juſtices of Peace, Sheriffs, Exciſe-men, Cuſtomers, and the like; with all Committees, and Ordinances of one or both Houſes made this Parliament, did actually determin, expire, and become meerly void in Law to all intents and purpoſes, and cannot be continued as good and valid by any power whatſoever.

3. That inſtantly after the Kings deceaſe, the Imperiall Crown

Crown of this Realm of *England*, and of the Kingdoms, Dominions, and Rights thereunto belonging, was by inherent birth-right, and lawful undoubted ſucceſſion and deſcent, actually veſted in the moſt Illuſtrious *Charles*, Prince of *Wales*, being next lineal Heir of the Blood-royal to his Father King *CHARLES*; and that He is actual *KING* thereof, before any ceremony of Coronation, as is reſolved in full Parliament, by the Statute of 1 *Jacobi* ch. 1. and by all the Judges of *England* ince *Coke* 7. *Report.* f. 10, 11. in *Calvins* caſe, Whoſe Royal Perſon and Title to the Crown all loyal Subjects are bound by their Oaths of Supremacy, Allegiance, and Solemn League and Covenant, with their Eſtates, Lives, and laſt drop of their bloods to maintain againſt all Oppoſers.

4. That all Peers of the Realm, Mayors, Sheriffs, chief Officers of Cities and Corporations in this Kingdom, are obliged by their Places and Allegiance, without any delayes or excuſes, to declare and proclaim Prince *Charles* to be rightful King of *England*, and of all Kingdoms and Rights thereunto belonging, notwithſtanding any illegal prohibitions or menaces to the contrary by any uſurped Power whatſoever, under pain of being guilty of High Treaſon, and forfeiting their City and Corporation Charters, in caſe of ſupine neglect or refuſal thereof; through fear, terror, or any ſiniſter reſpect.

5. That till King *Charles* be ſetled in his Throne, or give other order, the preſent Government of the Kingdome is legally veſted only in the Lords and Peers of the Realm, being by Inhetance, cuſtome and Law in ſuch caſe, the Kings and Kingdoms great Councel, to whoſe lawful commands all other Subjects ought to yeeld ready Obedience.

6. That every profeſſed actual endeavour by force or otherwiſe to alter the fuudmental Monarchical Government, Laws, and legal ſtyle and proceedings of this Realm: and to introduce any new Government or Arbitrary proceedings contrary thernto, is no leſs than high Treaſon, and ſo declared and reſolved by the laſt Parliament, in the caſes of *Strafford* & *Canterbury*, the loſs of whoſe heads (yet freſh in memory) ſhould deter all others rom purſuing their pernitious courſes, and out-ſtripping them herein; they being as great, potent, and as far out of the

reach

reach of danger and justice in humane probability as any of our present Grandees.

111. A new Stamp for Coyn.

That no Act of Rebellion and Treason might be unattempted by this Conventicle, no part of the Regalities of the King, or Peoples Liberties unviolated; they considered of a New Stamp to be given to all Coyn (for the future) of this Nation.

112. Instructions for the Councel of State.

13. *Feb.* They considered of Instructions and Power to be given by way of Commission to the said Committee, or Councel of State. 1. For the Government of the two Nations of *England* and *Ireland*, appointing a Committee to bring in the Names of these *Hogen's Mogens*, and to perfect their Instructions: For, (1) Ordering the Militia. (2) Governing the People (they were wont to be Governed by known Laws, not by Arbitrary Instructions, and by one King, not by forty Tyrants, most of them base Mechanicks, whose education never taught them to aspire to more knowledge than the Office of a Constable.) (3) Setling of Trade. (most of them have driven a rich Trade in the work of Reformation for themselves.) (4) Execution of Laws (this was wont to be done by legal sworn Judges, Juries, and Officers.)

113. Powers given to the Councel of State.

14. *Feb.* The Committee reported to the House the Names of the Comittee of State, or Lords States General. Also the Power they were to have, *viz.* 1. Power to command and settle the Militia of *England* and *Ireland*. 2. Power to set forth Ships, and such a considerable Navy as they should think fit. 3. Power to appoint Magazines and Stores for the Kingdoms of *England* and *Ireland*, and dispose of them from time to time for the service of both Nations, as they shall think fit. 4. Power to fit & execute the several powers given for the space of one whole year: many other powers not yet revealed, and daily increased; besides what improvements of Power they are able to make hereafter, having the Militia of an Army (that formidable Hobgoblin) at their command. They have two Seals appointed, a Great Seal, and a Signet Patents for Sheriffs, and Commissions for Justices, and Oaths for both, were reformed according to the Godly cut.

When

When the Committee of State was nominated in the Houſe, divers Gentlemen of the beſt quality were named; whom they could not omit, becauſe they had ſat with them, and concurred in all their great debates: although they had more confidence in thoſe petty Fellows, who had, or would ſell their ſouls for gain, to make themſelves Gentlemen; to debar the ſaid Gentlemen of quality therefore and make them forbear, they invented an expurgatory oath or *Shiboleth* to be taken by every Member before his initiation, whereby they ſhould declare, *That they approved of what the Houſe of Commons and their High Court of Juſtice had done againſt the* KING, *and of their aboliſhing of Kingly Government, and of the Houſe of Peers, and that the Legiſlative and Supreme power was wholly in the Houſe of Commons* 22. Febr. *Cromwell* (Chairman of that Committe of State) reported to the Commons *That according to the Order of that Houſe, 19 of the ſaid Members had ſubſcribed to that form of the Oath, as it was originally penned: but 22 of them ſcrupled it, whereof all the Lords were part, not but that they confeſſed (except one) The Commons of* England *to be the ſupreme power of the Nation, or that they would not live and die with them in what they ſhould do for the future, but could not confirm what they had done in relation to the King and Lords:* ſo it was referred to a Committee to conſider of an expedient. 114. An expurgatory Oath put upon the Councel of State, ſcrupled by ſome of the Members, and moderated by *Cromwel* in oppoſition of the Levellers.

Cromwell having made uſe of the Levellers (Aſſertors of publick Liberty) to purge the Houſe of Commons, and aboliſh the Lords Houſe, doth now endeavour to caſt down the Levellers once more, finding himſelf raiſed to ſo great an height, that he cannot endure to think of a levelling equality; he overſways the Council of War, over-awes the Houſe of Commons, and is Chairman and Ring-leader of the Council of State: ſo that he hath engroſſed all the power of *England* into his own hands, and is become the Triple King, or Lord Paramount over all the Tyrants of *England*; in oppoſition therefore to the Levelling 115. *Cromwel's* uſurp'd power. When the Houſe of Commons oppoſed *Cromwels* & *Ireton's* deſigns, they cried up the Liberty of the people, and decried the Authority of Parliament, until they had made uſe of the Levellers to purge the Houſe of Commons, and make it ſubſervient to their ends, and aboliſh the Houſe of Lords: and then they cried up the Supreme Authority of their Houſe of Commons, and decried the Liberty of the People, and the Levellers, who upheld it. So *Charles* the 5. firſt made uſe of the Popes Authority to ſubdue the Proteſtants of *Germany*, and then uſed an Army of proteſtants to ſubdue and impriſon the Pope.

party, and for the upholding of his own more Lordly Interest, he procured an expedient to Alter and Reform the said Oath, which at last passed in this form following:

February the 22. 1648.

116. The form of the said reformed Oath.

I A. B. *being nominated a Member of the Councel of State by this present Parliament; do testifie, that I do adhere to this present Parliament, in the maintenance and defence of the publick liberty & freedome of this Nation, as it is now Declared by this Parliament (by whose Authority I am constituted a Member of the said Councel) and in the maintenance and defence of their resolutions concerning the settling of the Government of this Nation for the future, in way of a Republick without King or House of Peers, and I do promise in the sight of God, that (through his Grace) I will be faithful in performance of the trust committed to me as aforesaid, and therein faithfully pursue the Instructions given to the said Councel by this present Parliament; and not reveal or disclose any thing in whole, or in part, directly, or indirectly, that shall be debated or resolved upon in the Councel, without the command or direction of the Parliament, or without the order or allowance of the major part of the Councel, or of the major part of them that shall be present at such Debates or Resolutions: In confirmation of the premises, I have hereto subscribed my Name.*

Here you see a curtain drawn between the eyes of the people, & the clandestine machinations and actings of this Councel.

117. The C. of War debate to massacre the *Kings party*. See *Will. Sedgwicks* [*Justice upon the Armies remonstrance.*]

About this time it was debated at the Councel of War to *massacre and put to the Sword all the* KINGS *party*, the Question put, was carried in the Negative but by two Voices. You see what Furies pursue these sinful Wretches, and what dangerous rocks they dash upon, in order to that base and cowardly principle of *Self-preservation*.

118. Schismatical Petitions for 2 or 3 principal Gentlemen in each County to be brought to justice.

The Army hath in every County of *England* packs of schismatical Beagles, whom they hollow on to hunt in full cry (by Petitions to the House) after the blood of such whom they design for slaughter. Many Petitions have been lately presented, *That two or three principal Gentlemen of the* KINGS *party (by name) in each County, might be sacrificed to Justice, whereby the Land might be freed from blood-guiltiness.*

Divers

Divers Merchants have contracted to ſend forth ſeveral Ships for the next Summers Fleet, at their own charge. 119. Merchants arming Ships for this Summers Fleet.

The Prodigious High Court of Juſtice was revived in order to the Trial of the Earl of *Holland*, the Earl of *Cambridge*, the Earl of *Norwich*, the Lord *Capel*, and Sir *John Owens*; the Commiſſioners were changed (that they may engage as many men in arbitrary, illegal tyranny and bloud-ſhed as they can.) 120. The High Court of Juſtice revived.

Hamilton was exceedingly importuned by *Cromwell* (who took a journey to *Windſor* purpoſely) *to name ſuch Members of Parliament and Citizens as had any hand in calling him in*: this he either could not or would not do; he had (in order to his own ambition) firſt exaſperated the Independent party againſt the KING, and afterwards ſought their ruin by engaging for the KING: and he doubted that to undertake ſo odious an office as to play the Devils part, and be an Accuſer of his Brethren, would but ſet a gloſſe upon the Independents intended ſeverity againſt him. Being brought to St. *James's* in order to his Trial, *Cromwell* (hoping to train him to a confeſſion) cauſed all his Creatures to carry a favorable countenance to him. *Bradſhaw* ſmoothed him up with ſoft language at the Bar; the Lord *Gray* of *Grooby*, Col. *Wayte*, and *Hugh Peters*, gave him hopes that they would not much obſtruct his pretended Plea of Quarter from *Lambert* upon Articles; *Peters* avouched Quarter ſo given by *Lambert*, notwithſtanding Colonel *Wayte* (when he made Report to the Houſe of Commons how he took him) affirmed, *He yielded at diſcretion, and* Lambert *was not then neer him*: after this *Peters* gives *Hamilton* a Viſit, who gives *Peters* thanks and money to boot for his late favour done him in Court; and knowing him to be an Inſtrument of *Cromwells*, imployed him as his Solicitor to the Members of the Houſe and Army. *Peters* prayes for *Hamilton* openly as his *Lord* & *Patron*, ſtill feeding him with hopes *If he would impeach their Oppoſites*: yet ſtill he waved this, offering them 100000l. for his life, and often inculcating what ſervices he would do them in *Scotland*; for which purpoſe he offered to joyn Intereſts with *Argyle*, and be a Servant to their Party. Meſſengers were poſted into *Scotland* to know *Argyles* pleaſure: But he had been over-reach't formerly by *Hamilton*, and he was reſolv'd to admit no Competitor, which would have eclipſed his great-

121. The Hiſtory of *Hamiltons* imprisonment & death. See *Digitus Dei* upon Duke *Hamilton*.

Quære, What an accuſation extorted for fear of death, and hope of life is worth? *Hamilton* confeſſed at his death, he had been much preſſed; yet had named no man. *Argyle*.

neſſe, and have made him not the ſole Patron of Scotiſh Independency: Beſides, the Kirk ſo far hated *Hamilton* that they preached off his Head in *Scotland*, before it was cut off in *England*: the High Court of Juſtice lingered long in expectation of an Anſwer; at laſt ſuch a one came as decryed all reconciliation with *Hamilton*, whereupon the ſcene was altered preſently, *Bradſhaw* handled him roughly at the Bar, *Mar.* 6. Thoſe which ſmiled on him before, frowned now; being asked *what he could ſay* he pleaded *Quarter*, and vouched *Peters* Teſtimony: who with brazen face renounced his former Teſtimony, ſaying, *He now remembred no ſuch matter, but that the Army ſcorned to give quarter to him, or any of his Nation:* whereupon he was condemned to the Block; which Sentence was executed upon him, *March*, 9. ye they fed *Hamilton* with vain hopes to the laſt gaſp, for fear he ſhould give glory to God, and throw ſhame and infamy upon themſelves by a Chriſtian confeſſion of his, *Argyles*, and their mutuall villanies: beſides, ſuch a diſcovery would have made *Argyle* leſſe ſerviceable to them in *Scotland*, whoſe next deſign is to cajole the Kirk by ſeeming an Enemy to the Sectaries of *England* and pretending to ſerve the Presbyterian Intereſt. Thus I conclude the Tragedy of Duke *Hamilton*.

When *Hamilton* was upon the Scaffold, divers Officers of the Army, and *Hugh Peters* converſed familiarly with him to the laſt, and Meſſengers paſſed to and fro.

122. The Death of the Lord *Capel*.

In oppoſition to whom, I will briefly relate the Tragedy of the noble Lord *Capel*, a Gentleman of great courage and integrity. He had made an adventurous eſcape out of the *Tower*, but was re-taken by the treachery of a limping Water-man, (If I knew his Name I would beſtow a blot of Inke upon him.) He pleaded for himſelf *Articles of Surrender* (which were reall in him, though not in *Hamilton*) *that divers that were in* Colcheſter, *and in his condition, had been admitted to compound*; and *deſired to be referred to Martial Law*, which being denied, He moved, *he might not be debarred of Additionall defence; if he muſt be judged by the Common Law, then he demanded the full benefit of that Declaration of the Commons*, 19. Febr. 1648. which Enacteth and Declareth, *that though King and Lords be laid aſide, yet all other the fundamental Laws ſhall be in force concerning the lives, liberties and properties of the Subject*: and recommended to them *Magna Charta*, *The Petition of Right*, 3. *Caroli.* and the Act made, *H.7 for indempnity of all ſuch as adhered to the preſent King in poſſeſſione*, alſo

alſo the exception in the Act of Attainder of *Strafford* and *Canterbury*, which ſayes, *Their Caſes ſhall not be uſed as a precedent againſt any man:* He deſireth to ſee his Jury, and that they might ſee him, and ſo might be tried by his Peers, ſaying, *He did believe no precedent could be given of any Subject Tried, but by Bill of Attainder in Parliament, or by a Jury.* But all was but to charm a deaf Adder. He was a gallant Gentleman, and they durſt not let him live.

The KINGS Library at St. *Jame's* was given (I hear) to that ignorant Stage-player *Hugh Peters.*

123. The Kings Library at Saint *James's* given to *Hugh Peters.*

26. *Feb. John Lylburne* delivered to the Commons (by the name of *the Supreme Authority of* England) *A Petition in the name of many thouſand well-affected*, with a Book annexed, entituled, *Englands new Chains diſcovered.* The moſt material points thereof are, that they find fault with *The Agreement of the People*, preſented to the Houſe by Liev. Gen. *Hammond*, from the Officers of the Army, becauſe,

124. L. C. *Lylburns* Petition to the Houſe, with *Englands new Ch* annexed. See the Hunting the Foxes, &c. p. 8.

1. *They like not there ſhould be any intervals between the end of this Repreſentative now ſitting, and the beginning of the next, whereby during the ſaid Interval the Supreme power will be left in the new erected Councel of State, a conſtitution of a new and unexperienced nature, which may deſign to perpetuate their power, and keep off Parliaments and Repreſentatives for ever.*

2. *They conceive no leſs danger in that it is provided that Parliaments for the future, are to continue but ſix Months, and the Councel of State eighteen Months, in which time having command of all the Forces by Sea and Land, they will have great opportunities to make themſelves abſolute, and unaccountable.*

3. *They are not ſatisfied with that Clauſe in the ſaid Agreement*, That the Repreſentative ſhall extend to the erecting and aboliſhing Courts of Juſtice; *ſince the alteration of the uſual way of Trials by twelve ſworn men of the Neighbour-hood may be included therein, as hath lately been done by erecting a new High Court of Juſtice criminal under a Preſident and Commiſſioners, or Tryers picked and choſen in an unuſual way, all liberty of exceptions againſt them being over-ruled.*

4. *They are not ſatisfied with that Clauſe in the Agreement*, That the Repreſentative have the Higheſt final Judgement, *ſince their*

their Authority is onely to make General Laws, Rules and Directions for Courts, and Perſons aſſigned by Law to execute them, unto which the Repreſentatives themſelves are to be ſubject, it being a great partiality and vexation to the People, that the Law-makers ſhould be Law-executors.

5. *They finde fault with the Exciſe, calling it,* The great obſtructor of all Trade, far ſurmounting Ship-mony, and all Parents. Projects, and Monopolies before this Parliament.

6. *The Act for Preſſing of Sea-men.*

7. *The General and Officers obſtructing the Preſs.*

8. *The Chancery and Courts of Juſtice not regulated.*

Hunting the Foxes p. 8. ſayes, *It was* Ireton's *invention.*

9. *They complain, That a Councel of State is haſtily choſen as Guardians of the Peoples liberties, with a vaſt and exorbitant power:* 1. *To command, order, and diſpoſe of all Forces by Sea and Land, and all Magazines of Store in* England *and* Ireland. 2. *To diſpoſe all publick Treaſure.* 3. *To command any Perſon whatſoever before them, to give Oath for diſcovery of Truth.* 4. *To Impriſon any that ſhall diſobey their Commands, and ſuch as they ſhall judge contumacious;* what now is become of *Magna Charta*, and the Liberties of the People, *That no mans perſon ſhall be Attached or Impriſoned, or Diſſeiſed of his Free-hold or Free-cuſtomes but by lawful Judgement of his Equals?* This Councel of State hath got all power into their hands (a project long laboured) and now their next motion will be (*pretending eaſe to the People*) to Diſſolve this Parliament.

10. *The Petitioners complain, that in order to ſettle their Tyranny, the Councel of Officers inſiſted upon it,* That a motion ſhould be made to the Houſe of Commons, to inable them to put to death by Martial Law all ſuch as they ſhall judge, by Petitions or otherwiſe, to diſturb the preſent proceedings, whether Members of the Army, or not. And when it was urged, *That the Civil Magiſtrate ſhould do it:* it was anſwered, * *They could hang twenty. ere the Magiſtrate could hang one.* The prayer of their Petition is:

* The ſaying of Col. *Hewſon* the one-eyed Cobler. See Hunting the Foxes, p. 10.

1. That the Self-denying Ordinance be obſerved.

2. That they would conſider how dangerous it is, *to continue the Higheſt Military Commands ſo long in the ſame perſons, eſpecially acting ſo long diſtinct, and of themſelves, as thoſe now in being have done,*

done, and in ſuch extraordinary wayes, whereunto they have accuſtomed themſelves, which was the original of moſt Tyrannies.

3. *That they would appoint a Committee of Parliament-men, to hear, and determine all controverſies between Officers and Officers, Officers and Souldiers, to mitigate the rigour of Martial Law, and to provide it be not executed upon any, not Members of the Army.*

4. *That they will open the Preſſes.*

5. *That they will diſſolve this Councel of State, threatning ſo manifeſt Tyranny.*

6. *That they will ſeverely puniſh all ſuch as acting upon any Order, Ordinance, or Act of Parliament, ſhall exceed the power conferred on them.*

After this came forth a *ſecond part of* Englands *new Chains diſcovered*, ſetting forth the hypocriſie and perfidiouſneſs of the Councel of the Army and the Grandees, in cheating all Inteſts, King, Parliament, People, Souldiers, City, Agitators, Levellers, &c. which tells you, *That the Grandees walk by no principles of Honeſty or Conſcience*, but (as meer Polititians) are governed altogether by occaſion as they ſee a poſſibility of making progreſs to their Deſigns, which courſe of theirs, they ever termed, *Awaiting upon Providence*, that under colour of *Religion*, they might deceive the more ſecurely. It tells you their intent is to Garriſon all great Towns, to break the ſpirits of the People with oppreſſion and poverty. It farther Declares, that theſe Grandees judge themſelves looſe when other men are bound; all Obligations are to them Tranſitory and Ceremonial; and that every thing is good and juſt as it conduceth to their Intereſt. That the Grandees never intended an Agreement of the People, but only to amuſe that party, whilſt they haſtily ſet up a Councel of State to eſtabliſh their Tyranny, that to prepare the way to this, they broke the Houſe of Commons, took away the Houſe of Lords, removed the King by an extrajudicial way of proceedings, and erected ſuch a Court of Juſtice as had no place in the Engliſh Government. That the remainder of the Houſe of Commons is become a meer channel through which is conveyed all the Decrees & Determinations of a private Councel of ſome few Officers. All theſe, and the Votes, *That the Supreme power is in the people, and the Supreme Authority in the Commons* 125. A ſecond part of *England's* New Cha

their

heir Repreſentative, were only in order to their Intereſts of *will* and *power*. That they place their ſecurity in the *diviſions* of the People. That if the preſent Houſe of Commons ſhould never ſo little croſs the ambition of theſe Grandees; they would ſhew no more modeſty to them than they have done to the excluded Members; and ſo it concludes with a Proteſtation againſt their breaking the Faith of the Army with all Parties, their diſſolving the Councel of Agitators, and uſurping a power of giving forth the ſenſe of the Army againſt the Parliament & People, againſt their *ſhooting to death the Souldier at Ware*, and their cruelties exerciſed upon other perſons, to the debaſing of their Spirits, and thereby new-moulding the Army to their Deſigns; againſt their playing faſt and looſe with the King and his Party till they had brought a new and dangerous War upon this Nation. They alſo proteſt againſt their diſſembled Repentances, againſt their late extraordinary proceedings in bringing the Army upon the City (to the ruine of Trade) their breaking the Houſe of Commons in peices, without charging the Members particularly, and then judging and taking away mens lives in an extraordinary way, as done for no other end but to make way for their own abſolute Domination. They alſo proteſt againſt the Election and eſtabliſhment of thoſe High Courts of Juſtice, as unjuſt in themſelves, and of dangerous precedent in time to come; as likewiſe againſt the Councel of State, and putting ſome of themſelves therein, contrary to their own Agreement. They alſo proteſt againſt all other the like Meetings of thoſe Officers, that on Thurſday 2 *Feb.* Voted for ſo bloody a Law, as to hang whom they ſhould judge diſturbed the Army, as having no power either by ſuch Councels to give the ſenſe of the Army, or to judge any Perſon not of the Army, or to do any thing in reference to the Common-wealth.

See the Hunting of the Foxes, &c. p. 6, 7, 8.

Return to Sect. 2. &c.

About this time alſo became publick a pretty Book, entituled [*The Hunting of the Foxes from New-market and Triplo to White-Hall by five ſmall Beagles*,] which tells you, That the Grandee-Officers of the Army to keep the Souldiers quiet, did formalize about an Agreement of the people whilſt they carried on their platform of abſolute tyranny (long ſince hatched by *Ireton*) by erecting a *Councel of State*; no ſooner was this Monſter born,

The Hunting of the Foxes from *Triplo* and *New-market* by 5 ſmal Beagles, &c.

born, but it devoureth half the Parliament of *England*, and now it is adorned it ſelf with Regall magnificence, and majeſty o courtly attendants, and like the 30 Tyrants of *Athens*, to heac it ſelf over the People; this is, and yet this is not our new intended King, there is a King to ſucceed, this is but his Viceroy. O *Cromwell!* whither art thou aſpiring? the word is already given out amongſt their Officers, *That this Nation muſt have one prime Magiſtrate or Ruler over them, and that the Generall hath power to make a Law to bind all the Commons of England:* This was moſt daringly and deſperately avowed at *White-hall*, and to this temper theſe Court-Officers are now a moulding: He that runs may read and foreſee a new Regality, thus by their Machivilian pretences and wicked practiſes, they are becom Maſters and Uſurpers of the name of the Army, and of the name of the Parliament under which Viſors they have levelled and deſtroyed all the Authority of this Nation; for, the Parliament indeed and in truth is no Parliament, but a Repreſentative Glaſs of the Council of War; and the Council of War but a Repreſentative of *Cromwell*, *Ireton*, and *Harriſon*: and theſe are *the All in all of the Nation*, which under the guiſes and names of *Parliament*, *Army*, *Generall Councel*, *High Court*, *and Council of State*, play all the ſtrange pranks that are played. And further *p.* 13. The conclave of Officers have ſucked in the venome of all former corrupt Courts and Intereſts, the *High Commiſſion*, *Star-Chamber*, *the Houſe of Lords*, *the King and his privy Council*, are all alive in that Court called, *The Generall Councel of the Army.* 1. The *King* ſtood upon it, *That he was accountable to none but God, that He was above the Parliament and People*; and to whom will theſe men be accountable to none on earth: and are they not above the Parliament? they have even a Negative voice thereover, formerly the Commons could paſſe nothing without the Houſe of Lords, and now they dare paſſe nothing without the concurence of the conclave of Officers: we were formerly ruled by *King*, *Lords*, *and Commons*; now by *a Generall*, *Court Martiall*, *and Houſe of Commons:* what is the difference? the Lords were

The Houſe by Votes 5. *Dec.* 1648. voted *the King's Conceſſions a ground, &c.* And the Army ſecured and expelled 250 Members for uſing liberty to vote according to their conſciences, and over-rul'd

thoſe few left ſitting to unvote in a thin Houſe what was voted in a full Houſe; this is more than to uſurp a Negative Voice over them: return to ſect. 18, 23, 28.

not

not Members both of the House of Peers, and of the House of Commons, but the Officers, (our martial Lords) are Members both in the House, or Councel of Officers, and in the House of Commons, we have not the change of a Kingdom to a Commonwealth; we are onely under the old cheat, *A transmutation of Names*, but with the addition of *new Tyrannies*, for *casting out one unclean Spirit, they have brought with them in his stead seven other unclean Spirits more wicked than the former, and they have entred in and dwell there, and the last state of this Common-wealth is worse than the first.* Lastly, they set down *some illegall proceedings and Examinations before the Council of War, exceeding the High Commission, and Star-Chamber.*

127. The Author's censure of the Levellers.

These three Books shew the late endeavours of the *Agitators*, and that *party*, which the *Grandees* politickly mis-call (to cast an *odium* upon them) *Levellers*; they are the truest Assertors of *humane Liberty*, and the most constant and faithful to their Principles and party of any in the Army, and though they have many redundancies and superfluous Opinions fit to be pruned off by conversing with discreet honest men, or rather by a discreet and just publick Authority, (which I am confident is feasible, since *their principles* concenter in the *publick*, not in their own *private interest and Opinions*, and are no other ways changable than conduceth with the emergent occasions of the Commonwealth) yet they are but like the water-boughs of a healthy fruit-Tree, rather troublesom than dangerous, whereas the designs of their Antagonists (like rocks under water, or poyson in well cooked meat) destroy before they are discovered.

128. The Author's censure of His Majesties Posthumous Work, intituled, *The Portraiture of His Sacred Majesty in His Solitudes and Sufferings.*

About this time arose a Phœnix out of *His Majesties* Ashes, that most excellent issue of His Brain, entituled, [THE PORTRAICTURE OF *HIS SACRED MAJESTY* IN HIS SOLITUDES AND SUFFERINGS.] A Book full fraught with *wisdom, Divine and Humane*; shewing Him to be *more than Conqueror* of his Enemies in his rare *Christian patience and charity*; the very reading of it *aggravateth our loss* of so Gracious and excellent a *Prince*, that had learned the whole method of *humane perfection* in the School *of adversity*. *Herod* and his *Jews* never persecuted *Christ* in his swadling-clouts with more industrious malice, than the Antimonarchicall *Independent Faction*, this

this Book in the Preſſes and ſhops, that ſhould bring it forth into the world, knowing that as the *remembrance of Heaven ſtrikes a horror into us of Hell*; So the *contemplation of his vertues will teach us to abhor their vices.*

129. The form of Writs for Elections changed.

March 8. 1648. The Commons aſſented to a *new Form* of a Writ for *election of Knights and Burgeſſes for the Parliament.*

130. A new eſtabliſhment for the Army reported to the Houſe from our new Maſters the Councel of State.

But three dayes before it was reported to the Houſe from the Councel of State, what number of Horſe and Foot they thought fit to be kept up for the ſervice of *England* and *Ireland*, and the Monthly charge, which eſtimated comes to 1600001. *per menſem.* You ſee we are likely to finde theſe our new Lords ſuch gracious Maſters to us, that (*as the ſecond part of Englands New Chains* ſaith) *We ſhall have Taxes, though we have neither Trade nor Bread.* In the Earle of *Eſſex* time (when the War was at the higheſt) the Monthly Tax came but to 540001. a Month, yet had we then ſeven or eight Brigades beſides his Army and Garriſons; but that the Faction of Saints may carry on the work of a thorow Reformation in our purſes, as well as they have done in the Church and Commonwealth, they firſt raiſed the Tax to 690001. a Month for *England*, beſides 200001. a Month pretended for *Ireland* (but I believe little of it ſlips through their ſanctified fingers to go thither.) And now (to ſhew they can uſe double dealing againſt the Ungodly) they would double the ſum from 800001. to 1600001. a Month; this is to break our hearts with poverty, and make them take what impreſſions of ſlavery they pleaſe to ſet upon them: this Conventicle of State will engroſs all the Coyn and Treaſure of the Land into their own hands, and then ſubdue us therewith, and make us (like ſlaviſh *Egyptians*) *ſell our ſelves, and our Lands for Bread, or money to buy Bread*, when (that inſeparable companion of a long War) *Famine* approacheth, which their barbarous and illegal *Sequeſtrations* (unſtocking mens Farms and laying them waſt) will inevitably bring upon us; they have more hope to ſubdue and leſſen the number of their Oppoſites *by famine and want, than by the Sword*; in order to which, they have deſtroyed the Trade of the City, and undone multitudes of Tradeſ-men, who being diſabled to pay their Taxes, the Army cauſe all their Arrears to be leavied upon the City by a new Tax upon the reſt of the Inhabitants and the Out-

landlords; and when *Cromwell* was told, *this would undo the City*, He answered, *It was no matter, the more were undone, the more would clap Swords to their sides, and come into the Army*: you see Souldiery is intended to be the chief Trade.

131. An Act for abolishing the Kingly Office, &c.

March 17. 1648. The empty House of Commons in farther prosecution of their said Design, and to please their Masters of the Army, passed, printed, and published in the form and style of a Statute this Paper following, entituled,

An Act for the Abolishing the *Kingly Office* in *England*.

since by the law, the Crown cures all defects; how can the Kings blood be attainted?

Whereas Charles Stuart *late King of* England, Ireland, *and the Territories & Dominions thereunto belonging, hath by Authority derived from Parliament, been, & is hereby declared to be justly condemned, adjudged to die & put to death, for many treasons, murthers, and other hainous offences committed by him, by which Judgement he stood, and is hereby declared to be attainted of high Treason, whereby his Issue & Posterity and all others pretending title under him, are become uncapable of the said Crowns, or of being King or Queen of the said Kingdom or Dominions, or either or any of them.*

We have sworn faith & allegiance to K. *Charles* the first, His lawful Heirs and Successors, & our Vow is recorded in Heaven from which no power on earth can absolve us. See the oaths of Allegiance, Obedience, and Supremacy. The Statute of Recognition, 1 *Jac.* But the Commons are now Supreme, as in imitation of the Pope to bring this Clause in practise, *Licet de jure non possimus, tamen pro plenitudine potestatis nostra volumus, &c.*

Be it therefore Enacted and ordained, and it is Enacted, Ordained, and Declared, by this present Parliament, and by Authority thereof, That all the People of England *and* Ireland, *and the Dominions and Territories thereunto belonging, of what degree or condition soever are discharged of all Fealty, Homage & Allegiance which is or shal be pretended to be due unto any of the Issue & Posterity of the said late King, or any claiming under him; and that* Charles Stuart *eldest Son, &* James *called Duke of* York *second Son, and all other the*

ſſue and Poſterity of him the ſaid late King, and all & very perſon & perſons pretending Title from, by, or under im, are and be diſabled to hold or enjoy the ſaid Crown f England *&* Ireland, *and other the Dominions therun- belonging, or any of them, or to have the Name, Title, tile, or Dignity of King or Queen of* England *&* Ireland *rince of* Wales, *or any of them; or to have & injoy the ower & Dominion of the ſaid Kingdoms & Dominions r any of them, or the Honors, Manors, Lands, Tenements oſſeſſions, & Hereditaments, belonging or appertaining the ſaid Crown of* England *and* Ireland, *and other the ominions aforeſaid, or to any of them, or to the Princi- ality of* Wales, *Dutchy of* Lancaſter *or* Cornwal, *or any either of them, any Law, Statute, Ordinance, Uſage, or iſtom to the contrary hereof in any wiſe notwithſtanding; nd whereas it is, and hath been found by experience, hat the Office of a King in this Nation and* Ireland, *& have the power thereof in any ſingle Perſon is unne- ſſary, burthenſom and dangerous to the liberty, ſafety nd publik intereſt of the people, and that for the moſt art, uſe hath been made of the Regal power & preroga- ive, to oppreſs, impoveriſh, and enſlave the Subject, and hat uſually and naturally any one perſon in ſuch power akes it his intereſt to incroach upon the juſt freedom & iberty of the people, & to promote the ſetting up of their wn will and power above the Laws, that ſo they might nſlave theſe Kingdoms to their own luſt; *Be it there- ore Enacted and Ordained by this preſent Parlia. and by Authoritie of the ſame. That the Office of a* King *in this Nation, ſhal not henceforth reſide in, or be exerciſed by* any one ſingle perſon; *& that no one perſon whatſoever ſhal or may have, or hold the Office, Stile, Dignity, Power or Authority of* King *of the ſaid Kingdoms & Domini-*

All our Laws cut off by the *non obſtante* of an eighth part of the Houſe of Commons ſitting under a force.

After almoſt 1000 years experience is now found to be dangerous. The Engliſh were never one half-quarter ſo much enſlaved ſince *William* the *Conqueror* ſubdued them, as they have been ſince *Oliver* the Brewer ſubjugated them.

* But in a Councel of State of ſo Tyrants ſitting under the protection and awe of *Oliver.*

ons,

ons, or any of them, or of the Prince of Wales, *any Law, Statute, Uſage, or Cuſtome to the contrary therof in any wiſe notwithſtanding. And it is hereby Enacted, That if any perſon or perſons ſhal endeavour to attempt by force of Arms, or otherwiſe, or be aiding, aſſiſting, comforting, or abetting, unto any perſon or perſons that ſhall by any ways or means whatſoever, endeavour or attempt the reviving or ſetting up again of any pretended right of the ſaid* Charles, *eldeſt Son to the ſaid late K.* James, *called Duke of* York, *or of any other Iſſue and poſterity of the ſaid late King, or of any perſon or perſons claiming under him or them, to the ſaid Regal office, Stile, Dignity, or Authority, or to be* Prince *of* Wales; *or the promoting of any one perſon whatſoever, to the name, ſtile, Dignity, Power, Prerogative or Authority of K. of* England *and* Ireland, *and Dominions aforeſaid, or any of them; That then every ſuch offence ſhal be deemed & adjudged* high Treaſon, *& the offenders therin, their Councellors, Procurers, Aiders, and Abettors, being convicted of the ſaid offence, or any of them, ſhall be deemed & adjudged Traytors againſt the Parliament and people of* England, *and ſhall ſuffer, loſe & forfeit, & have ſuch like, & he ſame pains, forfeitures, judgements & execution, as is uſed in caſe of high Treaſon: And wheras by the abolition of the Kingly office provided for in this Act, a moſt happy way is made for this Nation (if God ſee it good) to return to its juſt & antient right of* being governed by its own Representatives or National meetings in Council*, *from time to time choſen & entruſted for that purpoſe by*

High Treaſon is what theſe Legislative Thieves liſt to make it, an Arbitrary crime, notwithſtanding the Stat. 25. *Ed.* 3. for limiting and aſcertaining of Treaſons, for ſecurity of the people. *Tiberius* and *Nero's* dayes are fallen upon us, Of which *Tacitus* *Ingens crimen divitiæ, & complementum omnium accuſationum læſa Majeſtas.*

* When was *England* governed by their own Representatives or had any other regiment than Kings? But what the Legislative Conventicle declares we muſt believe, though contrary to our knowledge. They will lead our Faith and Reaſon in a ſtring, or have our necks in a halter. A period to this Parliament, and leave the Supreme Power in the Council of State; a deſign long ſince attempted. See Firſt and Second Part of *Englands New Chains*, and the *Hunting of the Fox* [illegible] ce is due by Law to them, which takes no notice of this form of Government.

be

the people; It is therefore Reſolved and declared by the Commons aſſembled in Parliament, that they will put a period to the ſitting of this preſent Parliament *& diſſolve the ſame ſo ſoon as may poſſibly ſtand with the ſafety of the people that hath betruſted them, & with what is abſolutly neceſſary for the preſerving and upholding the Government now ſetled in the way of a Commonwealth, and that they will carefuly provide for the certain chuſing, meeting and ſitting of the next & future Repreſentatives, with ſuch other circumſtances of freedom in choice & equality in diſtribution of Members to be elected thereunto as ſhall moſt conduce to the laſting freedom & good of this Commonwealth: And it is hereby further Enacted and Declared, notwithſtanding any thing contained in this Act, no perſon or perſons of what condition & quality ſoever, within the Commonwealth of* England *&* Ireland, *Dominion of* Wales, *the Iſlands of* Guernſey, *&* Jerſey *& Town of* Berwick *upon* Tweed, *ſhall be* diſcharged from the obedience & ſubjection *which he & they owe to the Government of this* Nation, *as it is now Declared, but all & every of them ſhall in all things render and perform the ſame, as of right is due unto the Supreme Authority hereby declared to reſide in this & the ſucceſſive Repreſentatives of the People of this Nation & in them only.*

About the ſame time they paſſed another Act for Aboliſhing the Houſe of Peers, to this purpoſe. 131.

An Act for aboliſhing the Houſe of Peers

THe Commons of England *aſſembled in Parliament, finding by too long experience that the Houſe of Lords is uſeleſſe and dangerous to the People of* England *to be continued, have thought fit to Ordain and Enact, and be it Ordained and Enacted by this preſent Parliament, and by the Authority of the ſame, That from henceforth the Houſe of Lords in Parliament ſhall be, and is hereby wholly aboliſhed and taken away, and that the Lords ſhall not from henceforth meet, or ſit in the ſaid Houſe called the* Lords Houſe, *or in any other Houſe or place whatſoever, as a Houſe of Lords, nor ſhall ſit, vote, adviſe,*

More New lights, new diſcoveries made by 40 or 50 *Ignis fatui*, groſs fiery Meteors, remaining in the Houſe of Commons.

adviſe, adjudge, or determine of any matter or thing whatſoever as a Houſe of Lords in Parliament: Nevertheleſs it is hereby Declared, That neither ſuch Lords as have demeaned themſelves with honour, courage, Fidelity to the Commonwealth, nor their Poſteritie who ſhall ſo continue, ſhall be excluded from the publick Councils of the Nation, but ſhall be admitted thereunto, and have their free Vote in Parliament if they ſhall be thereunto elected, as other Perſons of Intereſt elected and qualified thereunto ought to have: And be it further Ordained and Enacted by the Authority aforeſaid, that no Peer of this Land not being elected, qualified, and ſitting in Parliament, as aforeſaid, ſhall claim, have, or make uſe of any Priviledge of Parliament, either in Relation to his perſon, quality or eſtate, any Laws, Uſage, or cuſtome to the contrary notwithſtanding.

*133. A Declara. of the Commons to ſhew the reaſons of their ſaid proceedings. The State is Free, but the People Slaves; as a Galley is free, but the Rowers Slavs, 1. part. 72, 73. See theſe Books, *A full Anſwer to an Infamous Pamphlet, entituled A Declar. of the Commons of England.* *The Charge againſt the King diſcharged.* *The Royal and Royaliſts Plea.* *King Charles vindicated,* &c. And His Majeſties Juſt Book, or *Portraicture*, & *His Majeſties gracious Meſſages for Peace.*

And to leſſen the amazement of the people the ſame day they paſſed and ordered to be printed, a Book called, [*A Declaration of the Parliament of England, expreſſing the grounds of their late proceedings, and of ſetling the preſent Government in the way of a Free State:*] when they formerly paſſed the 4 Votes for *no more Addreſſes*, to our late King, they ſecounded it with a Declaration, *to ſhew the Reaſons of thoſe Votes*, wherein they ſet forth no new matter but what they had formerly in parcels objected againſt him; and yet they have ſince that time made Addreſſes to him, and both taken and cauſed others to take the Oaths of Allegiance and Supremacy, and the proteſtation & covenant to *defend his Perſon and Authority*, &c. And in this Declaration there is no new objection of moment, but what is contained in the former Declarations againſt him, and as I looked upon the firſt Declaration as a *Prologue*, ſo I look upon this laſt as the *Epilogue* to His *Majeſties Tragedy*. The whole matter of charge in both of them hath been ſufficiently anſwered in ſeverall Books, and either confuted or juſtified, to which I refer the Reader, whom I will only trouble with ſome few ſhort obſervations of my own upon it: (*p.* 5.) The Parliament (in imitation of their Maſters, the Councel of Officers) pretend *a neceſſity to change the fundamentall Government into a Free-State, to prevent Tyranny, Injuſtice, and War*, &c. (I doubt rather to promote them.) It affirmeth, (*p.* 15, 16.) *That Offices of Inheritance are forfeited by Breach of Truſt*;

Trust,(a condition annexed to every Office)and seems to imply as much of *the Kingly Office*: but this pen-man had forgot, that by the Law, *the Crown takes away all defects, and the King being Supreme Head and Governor over all Persons, and in all Causes*, it were absurd to make him accountable to any Authority; for in such case that Authority will be Supreme to him, and so erect 2 Supremes one jarring and interferring with the other, which in Law and policy is as absurd as to suppose two Almighties or Infinities in Divinity, which cannot be, for that one Infinity would terminate another: *Impossibile esse plura Infinite quoniam alterum esset in altero finitum*, saith *Cusanus*.(*pag*.16.)The Declarers play the Orators in behalf of the felicity of Government *by Free-States*, rather than *by Kings and Princes*. This is a spatious field to walk in, I will only cite some learned Authors living in Republicks of a contrary opinion, and send my Readers to them for their Arguments. It applauds the *prosperity* and *good Government of the Switz*: which (I think was never commended before)a gross witted people, living in a confused way of Government, where virtue and industry find no reward, the Rich become a daily prey to the poor, and their popular Tribunes who uphold their credits by calumniating the wealthy, & confiscating or[sequestring]their Estates, the best wealth of this Nation is Pension from Neigbour Princes, to whom they let their Blood to Hire, and become Mercenaries many times to the extream dammage and (if their Country were worth subduing) danger of the State. For *Venice* it is an *Aristocracy*(if not *Oligarchy*)of many *petty Kings*, so burdensom to all their Subjects upon *Terra firma*, that they dare not trust them without *Citadels* to keep them under; they never confide in any of their number or Natives to be Commander in Chief of their Land Forces)fearing to be tyrannized over by a *Cromwell*, or an *Ireton*, or by some property subordinate to them in all but Title. The *Morlachy*, and many Inhabitants of *Dalmatia* and *Candia*, have lately preferred the *Turkish Government* before theirs. As for the *Low-Countries*, (their nearest example) peruse *Bernavelt's Apology*, and many good Histories. For *Rome*, from their *Regifugium*, they were never free from Civill Warres, cecessious Tumults, & changes of Government; first to patritian Consuls, *Regia pote-*

See *Greg. Tholosanus. l. pol. 1. Keckerin: Sistema pol. l. Corazenii, l. politic. 1. à c. 17 ad cap. 2.* & many good Authors quoted by him. *Mæcenalis orationem ad Augustum, pud Dionem Cassium.*

ſtate; then to promiſcuous Conſuls (*Plebeyans* as well as *Patri tians*) with popular Tribunes to controule them (then to *De cemviri legibus Scribendis*; then to *Tribuni militares conſulari po teſtate*, Dictators upon all ſpecial occaſions, ſometimes an *Ari ſtocracy*, ſometimes a *Democracy*, between two Factions *Patritia* and *Plebeyan*. And never could that unhappy Idoll of the mul titude [*Libertie*] find any time of ſettled reſt and Governmen untill their giddy Republick was overthrown by *Julius Cæſar* and turned into a *Monarchy* by *Auguſtus*, which approved *Cra tippus* ſaying, *Vitioſum Reipub: ſtatum exigere Monarchiam*; an then (and not till then) *Rome* came to his height of Glory, anc Dominion, and continued ſo a long time, ſometimes empayrec by the vices of ſome Emperors, and ſometimes repaired by th virtues of others: he that reads *Livy* and *Tully's* Orations, witl many other Authors, ſhall find how infinite corrupt the Peopl were both in making and executing Laws, in diſpenſing Juſtice both diſtributive, and Commutative; what complaints, tha their *comitia* were *venalia*; what Bulwarks they were fain t erect againſt the ambition & covetouſneſs of their Great men *Leges Ambitus*, *leges Repetundarum peculatus*; all to no purpoſe the great abuſe of Solicitors and undertakers in every *Tryb: ſt contractie*, for ſuffrages; the domeſtick uſe of their *Nomenclators* their Prehenſations, Invitations, Clientſhips; their kiſſing and ſhaking hands (even from the greateſt Perſonages) proſti tuted to every Cobler and Tinker; their coſtly publick Shew and ſpectacles to wooe the Rabble; he that reads obſervingly ſhall find that *ambition* and *covetouſneſſe* (nurſes of all corrupti on) were the beſt part of the wiſdom and Induſtry of that *Re publick* untill it came to be a *Monarchy*, and ſhall farther find, that thoſe corrupt manners and cuſtoms which the People (from the higheſt to the loweſt) had contracted during the ſeverall li centious Alterations of their Commonwealth, from one form of Republick to another, were (like a ſecond nature) not to be corrected by the better diſcipline of a *Monarchy*, and (at laſt) occaſioned the ruin of that *Monarchy*, together with the deſola tion of that nation, which ſhews, *that Monarchy* (with which their Nation began) *was their naturall and genuine Government*, when it could not be taken away *ſine interitu ſubjecti*, without

See ſome Au thorities cited *verbatim* in the firſt page.

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the ruine of the whole subject matter. (p.11.) It is said, *It hath been lately computed, that the Court purveyances* (notwithstanding many good Laws to the contrary) *cost the Country more in one year, than their Assessments to the Army*; what? above 100000 l. a month, when the charge of the *KINGS* House-keeping came but to 50000 l. a year: (I speak not of Wages and Pensions) I know not who should make this computation, unless old Sir *Hen. Vane*, and his man *Cornelius Holland* (the latter of which was turned out of his Office in the *Green-cloth* for abusing his Place) nor in whose time of imployment (unless their own) such prodigious abuses should happen. (p.19.) It is said, *The legal and justifiable Revenue of the Crown fell short of* 100000 l. *per annum*: I perceive this is all the Account the Common-wealth is likely to have from the Committee of the Kings, Queens, and Princes Revenue, nor do I know what a pruning-hook that phrase (*legal Revenue*) may prove: But I conceived all that Q. *Elizabeth*, the Kings Father and Himself received, had been His Revenue *de jure*, I am sure it was *de facto*, and the Parliament in their Declarations promised, *to settle a better Revenue upon Him than any of His Ancestors enjoyed*; neither did this, nor any former Parliament complain, *that His Purse was grown too full, or his Revenue too fulsome*: and if the Committee of the Revenues had enjoyed no more but their own legal and justifiable Revenue, so many of the *KINGS* Servants and Creditors had not starved for want of their own. (p.19.) They very much aggravate *Monopolies*, *Patents*, and *Projects*: I wonder they suffer so many Men guilty in that kind to sit in their House, old Sir *Henry Vane*, Sir *Henry Myldmay*, Sir *John Hypsley*, *Cornelius Holland*, *Laurence Whytakers*, &c. (p.20.) They speak against the *Lords Negative Voice*, but not a word against the Councel of Wars Negative Voice, who march up in hostile manner against Parliament and City, and secure, seclude, and drive away 250 Members at one time, if they vote any thing contrary to their Interest. They speak likewise against the *Lords Judicial power over Commoners*, but have forgot what unjust & illegal use themselves attempted to make of the Lords jurisdiction against the 11 impeached Members, the 4 Aldermen and Citizens. (p.21.) They excuse their receding from their Declaration of *April*, 1646. (they might

The Kings Revenue by a *medium* of 7 years was yearly 700000 l.

2 Part of *Englands* New Chains discovered, &c. and the Hunting the Foxes returned to fol. 127.

1 Part. fol. 45, 46, 47, 48, 49, 50, 51, 52, 53, 54

have minded you of a Vote of a later Date, had it made for their turn) *for Governing the Kingdom by King, Lords and Commons.* To this it is ſaid, *the King, nor Lords could take no advantage thereof being a contract they never conſented unto*; indeed it was never preſented to them; but I ſhall ask whether the people may not take advantage thereof? for whoſe ſatisfaction this was Declared (a general grudge being then amongſt them) *that the Parliament and Army would ſubvert the ancient Fundamental Government.* (p.22,23. They anſwer an Objection, *that theſe great matters ought to be determined in a full Houſe, not when many Members are excluded by force, and the priviledges ſo highly broken, and thoſe who are permitted to ſit, do act under a force.* To this is anſwered (how truly let any man that hath read our Hiſtories tell) That few Parliaments have acted but ſome force or other hath been upon them (I wonder they did not argue thus for the ſilly *Tumult of Apprentices*) for Breach of Priviledges of Parliament. They Anſwer, *It will not be charged upon the remaining party, or to have been within their power to prevent it, or repair it* (to this I reply, that it is doubted the remaining party (being the Army party) contrived it in their *Junto* at *Somerſet-houſe*; for (p.23.) it is acknowledged, *they called and appointed the Army for their Guard*, which was not openly done by a full Houſe, it muſt be therefore ſecretly done by a party. See many Reaſons for this conjecture before Sect.24. Farther they ſay, *That the ſafety of the Kingdom ought to be preferred before priviledge of Parliament; & that if their Houſe had declined their duty* (*viz.* by not Acting) *they had reſigned up all to ruine and confuſion*; from whence ſhould this ruine and confuſion come, but from their own Army, which they perpetuate to eat up the Kingdom, and continue their own power and profit? and I wonder they did not uſe the ſame moderation after that childiſh Tumult of Apprentices, but *Declared all Acts*, &c. *paſſed from 26. July* (which day the Tumult began and ended) to the *6. Auguſt, null and void.* And endeavoured to make the very ſitting of the Members and the Citizens obeying to the ſaid Orders (though no Judges of the force) *Treaſonable*; they deny they ſit now under a force, the Army being their beſt friends, called by them *for their ſafety.* Indeed it is generally thought the Army and this remnant of the Houſe of

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Commons, are as good Friends and Brethren as *Simeon* and *Levi*, *Pilate* and *Herod* were; and were called to ſecure the Members & purge the Houſe: yet if the remaining party ſhould vote contrary to the Dictates of the Councel of War, *Quære*, Whether they will not be uſed as uncivily as the ſecured Members? nay worſe, by being called to acoount, for couſening the State. (p.24.) They ſay, *There is a clear conſiſtency of our Laws with the preſent Government of a Republick.* I deſire to know who by our Law can *call* or *hold a Parliament* but the KING: who is, *Principium caput, & Finis Parliamenti?* who is the fountain of Juſtice, Honour, Peace, when we have no King? who is Conſervator of the Laws and Protector of the people? where is the Supreme Authority? to Vote it (in their own caſe) to be in a Repreſentative, of fifty or ſixty Commons, without legal proofs or precedents is to lead Mens reaſon captive, as well as their Perſons and Eſtates (to impoſe an implicite faith upon Man, not to uſe diſcourſe and reaſon againſt their Votes is to take Man out of Man, to deny him his definition, *Animal rationale*) to whom doth the Subject owe Allegiance? and where is the Majeſty of *England* when there is no King? for all Treaſon is, *Crimen læſæ Majeſtatis, contra debitam ligeanciam.* Therefore where (by the known Laws) no Allegiance is, there is no Treaſon. Laſtly, if our preſent Laws be ſo conſiſtent with the Republick, I deſire to know why they did not Try the four Lords legally at the Common Law by their Peers, and Sir *John Owen* by a Jury of 12 Men of the Neighbourhood, according to *Magna Charta*, and other good Laws? but were fain to put a Legiſlative Trick upon them, and erect ſuch a Court for the Trial of them as was never heard of in *England* before, nor hath no place in our Government. They conclude (p.26.) *That as they have not intermedled with the affairs and Government of other States, ſo* (they hope) *none will intermeddle with them:* This aſſertion is as true as the reſt, it being wel known, that for about three years laſt paſt they have boaſted, That they have many Agents in *France*, who under colour of Merchandiſe, vent Antimonarchical and Anarchical Tenents, and ſow ſeeds of Popular liberty amongſt the poor Peaſants, and Huguenots of *France*, which they brag proſpered well there, their very declared principles and doctrine of their Pulpits and Army

2 Part of *England's* New Chains, and the Hunting the Foxes, &c

are,

ire, *That they muſt break the powers of the Earth in peeces.* Monarchy muſt down all the world over, firſt in *England*, then this Army muſt put over and manumit the Peaſants of *France*, the Boors of *Germany*, &c. And divers of this party have reported, *That they have ſupplied the Revolters of* France *with money*; their Licenced News-books are full of this Doctrine, and of many Invectives againſt the Tyranny of the French King.

134. *Harry Martins* Judgement of the King and Kingly Government.

Such were their proceedings againſt the *King*, or rather againſt *Kingly Government*, which was cut off by the ſame Axe that murthered the King, and was (indeed) firſt in their intention, though laſt in execution; as appeareth by *Harry Martins* Speech in the Houſe upon the Debate, *Whether a King, or no King? That if they muſt have a King, he had rather have had the laſt than any Gentleman in* England? he found no fault in *His perſon*, but in *His Office*.

135. The Councel of Officers endeavour to joyn Intereſts with the Papiſts in *England & Ireland*

The King had offended the Papiſts in the laſt Treaty, by granting ſo much to the Parliament for their ſuppreſſion: The Independents perceiving it, and willing to joyn with any Intereſt to make good their deſign. It was propoſed at the Councel of Officers, *That the Papiſts ſhould raiſe and pay about* 10000 *Additional Forces for this Army, in recompence whereof, all penal Laws concerning them ſhould be repealed, all Taxes and Contributions taken off, and they to have the Protection of this Parliament and Army.*

Owen Roe Oneale.

Under the ſame notion they endeavoured to joyn intereſts with *Owen Roe Oneale*, that commanded the bloody party of maſſacring Iriſh (with which they had formerly taxed the King) they ſupplied him with Ammunition, and admitted *O Kealy*, the Popes Iriſh *Nuntio* to a Treaty here in *England*; Sir *John Winter* was taken into imployment, and the Arrears of his Rents gathered for him by Souldiers, to the regret of the Countrey. Sir *Kenelm Digby* had a paſs to come into *England*, and came, as was foretold by a Letter from an Independent Agent for the Army, from *Paris* to an Independent Member of the Houſe of Commons, a creature of the Army, bearing date 28 *Nov.* 1648. and printed at the latter end of *The true and full Relation of the Officers and Armies forcible ſeizing of divers eminent Members*, &c. *Walter Mountague* let forth upon Bail; what becomes of this Negotiation? and whether thoſe that have played faſt and looſe

The Popes *Nuntio*

with

with all Intereſts in the Kingdom have not done the like with the Papiſts? I cannot yet learn.

This Winter, Coals (as well as other things) had been at exceſſive rates in the City, whereby many poor periſhed with cold and hunger; what the reaſon thereof was (beſides unreaſonable Taxes, Exciſe, and Souldiers quartering in and neer the City) was diverſly diſputed: moſt men imputed the blame to Sr. *Arthur Haſlerigg* Governour of *Newcaſtle*, who (without any publick Authority) preſumed to lay on a Tax of 4s. a Chaldron upon the Coals there; which is eſtimated to amount to 50000*l.* a year; what uſe that Money was put to was as variouſly whiſpered: as likewiſe what deſign they had in bringing ſo pinching a want upon the City: ſome ſaid it was to inforce the poorer ſort into Tumults, and then to charge the wealthier ſort with the crime, and enſnare them; others ſaid, it was to caſt an *odium* upon the PRINCE, as if His Ships had kept in the Colliers. 136. Scarcity of Coals how occaſioned, and why?

The 23. *March* 1648. The Commons ordered, *That the Lord Major of* London *in perſon be required to publiſh and proclaim in the City the aforeſaid Act for diſſolving Kingly Government: and to give an account thereof to the Houſe.* The Major refuſing this ſervice, was by the Commons called to the Bar, fined 2000*l.* committed priſoner to the Tower, and outed of his Majoralty; and Alderman *Andrews* (a man after their own heart) choſen by a few Schiſmaticks in his place. 137. The L. Mayor ordered to proclaim in perſon the Act for aboliſhing the Kingly Office, and puniſhed for neglect.

Ordered by the Commons (upon a report from the Council of State) *that Commiſſioners be appointed to make ſale of the Kings, Queens, and Princes perſonall Eſtate, upon Inventory and Appriſall, for ſatisfaction of all juſt Debts due to well affected perſons (Viz* Men of their Faction *) in this Nation, before the beginning of theſe Wars: But firſt* 30000*l. to be taken out of it for the uſe of the Summers Fleet, and that it be referred back to the* 40 Hogen Mogens, or *Council of State to conſider what they think fit to be ſold, and what they think fit to keep & reſerve for the uſe & furniture of them & their attendants.* Obſerve, that by that time this gulph is ſtopped, the whole remainder to be ſold for payment of debts aforeſaid, may be written with a Cypher. 138. The Kings, Queens, and Princes perſonal Eſtate ordered to be ſold.

I hear the Houſe hath given away the Kings Houſe, Parks and Honour of *Eltham* to Serjeant *Bradſhaw* their *quondam* Preſident. 139. Crown Lands ſhar'd among the Godly.

ſident. *Greenwich* to *Fulſtrode Whitlock*. The Lions Skin is now dividing amongſt the party. Thus have they killed and taken poſſeſſion: and the Kings Revenue hath proved as ominous to him as *Naboths* Vineyard was to his Maſter.

140. Another Report for an eſtabliſhment for the Army. Diurnal, *Mar.* 30, 31. 1649.

This day another report was made to the Houſe from the Committee of the Army of the particular ſums to be Monthly levied in each County, to make up the whole ſum of 90000l. Monthly for the Armies of *England* and *Ireland*, beſides 20000l. *per menſ.* out of Fee-farm Rents.

141. An Order that no Preacher meddle with State affairs.

28 *March* 1649. The Commons in purſuit of the advice given them by Monſieur *Paw*, and according to the example cited by him of the *Low Countries*, Ordered, *That no Miniſter in his pulpit ſhould meddle with any State affairs*: had this been obſerved from the beginning, theſe Pulpit-Incendiaries had never kindled a War between the King and Parliament.

142. The 5 Lights of *Walton*.

About the beginning of *Lent* laſt, Maſter *Faucet* Miniſter of *Walton* upon the *Thames* in *Surrey*, preached in his Parish Church after dinner, when he came down out of the pulpit it was twilight; and into the Church came ſix Souldiers, one of them with a Lanthorn in his hand, and a Candle burning in it, in the other hand they had four Candles not lighted: He with the Lanthorn called to the Pariſhioners to ſtay a little, for he had a Meſſage to them from God, and offered to go up into the Pulpit, but the Pariſhioners would not let him; then he would have deliver'd his errand in the Church, but there they would not hear him; ſo he went forth into the Church-yard, the people following him, where he related to them, *That he had a viſion, and received a command from God to deliver his will unto them, which he was to deliver and they to receive upon pain of damnation. It conſiſted of* 5 *Lights:*

1. *That the Sabbath was aboliſhed as unneceſſary, Jewiſh, and meerly ceremonial: And here* (quoth he) *I ſhould put out my firſt Light, but the wind is ſo high I cannot light it.*

2. *Tyths are aboliſhed as Jewiſh and Ceremonial, a great burden to the Saints of God, and a diſcouragement of induſtry and tillage: And here I ſhould put out my ſecond Light, &c.* as aforeſaid, which was the burden of his ſong.

3. *Miniſters are aboliſhed as Antichriſtian, & of no longer uſe now Chriſt himſelf deſcends into the hearts of his Saints, and his Spirit*

Spirit enlightneth him with Revelations and Inſpirations: And here I ſhould put out my third Light, &c.

4. *Magiſtrates are aboliſhed as uſeleſs, now that Chriſt himſelf is in purity of Spirit come amongſt us, and hath erected the Kingdom of the Saints upon earth; beſides, they are Tyrants and Oppreſſors of the Liberty of the Saints, and tye them to Laws and Ordinances, meer humane inventions: And here I ſhould have put, &c.*

5. Then putting his hand into his pocked, and pulling out a little Bible, he ſhewed it open to the People, ſaying, *Here is a Book you have in great veneration, conſiſting of two parts, the Old and New Teſtament; I muſt tell you, it is aboliſhed: It containeth beggarly rudiments, milk for Babes; But now Chriſt is in Glory amongſt us, and imparts a fuller meaſure of his Spirit to his Saints than his can afford; and therefore I am commanded to burn it before your faces*; ſo taking the Candle out of his Lanthorn, he ſet fire of the leaves. And then putting out the Candle, *And here my fifth Light is extinguiſhed.*

143. The Earle of *Warwick's* Commiſſion recalled, and 3 Admirals appointed.

Upon a Report from the Councel of State, the Commons voted *Void* the Earle of *Warwick's* Commiſſion for Admiral, and appointed three Commiſſioners to have and execute the Admirals Place, with 3 l. a day a piece; a Commiſſion for Martial Law, and Land Souldiers abroad to keep under the Sea-men. The three Admirals are, Col. *Edw. Popham*, Col. *Rob. Blake*, and Col. *Deane*.

144. *Cromwell* tumed Preacher

Sunday after *Eaſter-day*, ſix Preachers militant at *White-hall* tried the patience of their Hearers; one calling up another ſucceſſively; at laſt the Spirit of the Lord called up *Oliver Cromwell*, who ſtanding a good while with lifted up eyes, as it were in a trance, and his neck a little inclining to one ſide, as if he had expected *Mahomet's* Dove to deſcend and murmure in his ear; and ſending forth abundantly the groans of the Spirit, ſpent an hour in prayer, and an hour and an half in a Sermon. In his prayer *he deſired God to take off from him the Government of this mighty People of* England, *as being too heavy for his ſhoulders to bear*: An audacious, ambitious, and hypocritical imitation of *Moſes*. It is now reported of him, that he pretendeth to Inſpirations; and that when any great or weighty matter is propounded, he uſually retireth for a quarter or half an hour, and

then returneth and delivereth out the Oracles of the Spirit: ſurely the Spirit of *John Leyden* will be doubled upon this Man.

145. The laſt Retreat of the Faction by *H. Martins* report.

About this time the *Palſgrave* took his leave of the Parliament being much courted and complemented by them, and his 8000 l. *per annum* with all Arrears confirmed to him: Since his departure *Harry Martin* (in a jolly humour) was heard to ſay, *If the worſt happened, and that they ſhould not be able to ſtand their ground in* England, *yet the* Palſgrave *would afford them a place of retreat in the Palatinate*; the ſeeds of theſe Anarchical, Anabaptiſtical humours (upon the reducing of *Munſter*) ſpread themſelve in *England*, and now have a minde to return into *Germany* kindle a fire there.

146. *Jo. Lilburns* third Book, called (*The Picture of the Councel of State.*)

About this time *John Lilburn*, and his Company, ſet forth a Book, called [*The Picture of the Councel of State, &c.*] wherein they ſet forth *the illegal and violent proceedings of the ſaid Councel againſt them in ſeizing upon them with armed Bands of Souldiers, and interrogating them againſt themſelves, &c.* (where they have theſe words) *The Faction of a Traiterous party of Officers of the Army hath twice rebelled againſt the* Parliament, *and broke them in pieces, and by force of Arms culled out whom they pleaſed, and impriſoned divers of them, and laid nothing to their charge; and have left onely in a manner a few men* (beſides 11 of themſelves, *viz.* the General, *Cromwel, Ireton, Harriſon, Fleetwood, Rich, Inglosby, Haſlerigge, Conſtable, Fennick, Walton,* and *Allen* Treaſurer) *of their own Faction behinde them, that will* (*like Spaniel Dogs*) *ſerve their luſts and wills; yea, ſome of the chiefeſt of them,* viz. *Ireton, Harriſon, &c.* yea, Mr. *Holland* himſelf ſtyled them *a Mock-Parliament, a Mock-power,* at *Windſor*; yea, it is yet their expreſſions at *London:* And if this be true that they are a Mock-power, and a Mock-Parliament, then, *Quare*, Whether in Law or Juſtice (eſpecially conſidering they have fallen from all their many glorious promiſes, and have not done any one action that tends to the univerſal good of the people) can thoſe Gentlemen ſitting at *Weſtminſter* in the Houſe (called, *the Houſe of Commons*) be any other than a Factious company of Men, trayterouſly combined together with *Cromwel*, *Ireton*, and *Harriſon*, to ſubdue the Laws, Liberties, and Freedoms of *England* (for no one of them proteſts

proteſts againſt the reſt) and to ſet up an abſolute and perfect tyranny of the Sword, will, and pleaſure, and abſolutely intend the deſtroying the Trade of the Nation, and the abſolute impoveriſhing the people thereof, to fit them to be their Vaſſals and ſlaves, And again, the three forementioned Men, *viz: Cromwell, Ireton*, and *Hariſon*, (the Generall being but their ſtalking horſe, and a cyher) and their trayterous Faction, having by their wills and Swords got all the Swords of *England* under their command, and the diſpoſing of all the great places in *England* by Sea and Land, and alſo the pretended *Law making* power, and the pretended *Law executing* power, by making among themſelves (contrary to the Laws and Liberties of *England*) all Judges, Juſtices of Peace, Sheriffs, Bayliffs, Committee-men, &c. to execute their wils and tyranny, walking by no limits or bounds but their own wills and pleaſures, and trayterouſly aſſume unto themſelves a power to levie upon the people what money they pleaſe, and diſpoſe of it as they pleaſe, yea, even to buy knives to cut the peoples throats that pay the money to them, and to give no account for it till Dooms-day in the afternoon; they having already in their wills and power to diſpoſe of the Kings, Queens, Princes, Dukes, and the reſt of the Childrens Revenue; Deans and Chapters Lands, Biſhops Lands, Sequeſtred Delinquents Lands, Sequeſtred Papiſts Lands, Compoſitions of all ſorts, amounting to Millions of money, beſides Exciſe and Cuſtoms; yet this is not enough, although (if rightly husbanded) it would conſtantly pay above one hundred thouſand men, and furniſh an anſwerable Navy thereunto: But the people muſt now after their trades are loſt, and their Eſtates ſpent to procure their Liberties and Freedoms be aſſeſſed about 100000l. a Moneth, that ſo they may be able like ſo many Cheaters and State-thieves, to give ſix, eight, ten, twelve, fourteen, ſixteen thouſand pounds a piece over again to one another, (as they have done already to divers of themſelves to buy the Commonwealths Lands one of another, (contrary to the duty of Truſtees, who by Law nor equity, *can neither give nor ſell to one another*) at two or three yeares

Maſter *Boon* a Member of the Houſe, lately a Tapſter, hath 6000 l. given him.

Sir *Ar. Haſlerig* three great Mannors, *Biſhops-Arkland*, *Ever-wood*, and another Col. *Barkſtead* (the pittifull Thimble and Bodkin Goldſmith) bought as much Biſhops Lands as coſt 10000 l. at two or three years purchaſe, and hath long ſince raiſed his money.

purchaſe, (the true and valuable rate conſidered) as they have already done, and to give 4 or 5000l. *per annum*, over again to King *Cromwell*, as they have done already out of the Earl of *Worceſter*'s Eſtate &c. beſides about 4 or 5l. a day he hath by his Places of Lieu. Generall, and Colonel of Horſe in the Army; although he were at the begining of this Parliament but a poor Man; yea, little better than a Beggar (to what he is now) as well as others of his Neighbours.

147. A Petition in behalf of *Jo. Lilburn* and his Company.

2. *Aprill* 1649. A Petition ſubſcribed by divers Perſons in behalf of *John Lilburn* and his company, was preſented to the Commons, wherein (amongſt other things) are contained theſe three juſt demands:

1. *That no man be cenſured, condemned, or moleſted, but for the breach of ſome Law firſt made and publiſhed to the People, whereby is avoided that uncertainty and hourly hazard that otherwiſe every man is ſubject to, both in reſpect of his Eſtate, Liberty and Life.*

2. *That every crime have not onely its penalty annexed, but together therewith the manner and method of proceedings aſcertained.*

3. *That the execution of Laws be referred to ordinary Magiſtrates and Officers by Law deputed thereto, and that the Military power be not uſed, but where the civil is ſo reſiſted, as that of its own ſtrength it is deficient to enforce obedience.*

148. Itinerant Miniſters, an intention to undermine our Orthodox ſetled Miniſters, and infect the People with Schiſms and Anarchical Principles, ſuitable to the many-headed tyranny of the Grandees.

Aprill 12. 1649. It was referred to a Committee *to conſider of a way how to raiſe penſions and Allowances out of Deans and Chapters Lands to maintain ſupernumerary Itinerant Miniſters*, who ſhould be authorized to go up and down compaſſing the earth, and adulterate other mens Pulpits and Congregations, and put affronts and raiſe factions and ſcandals upon ſuch orthodox and conſcientious Miniſters (in order to their ſequeſtration) as cannot frame their Doctrine to the damnable practiſes and Anarchicall principles of the times. Theſe wandering Apoſtles are to preach Antimonarchicall ſeditious doctrine to the people, (ſuitable to that they call *the preſent Government*) to raiſe the raſcal multitude and ſchiſmaticall rable againſt all men of beſt quality in the Kingdom, to draw them into Aſſociations and Combinations with one another in every County, and with the Army againſt all Lords, Gentry Miniſters, Lawyers, rich and peaceable men, and all that are Lovers of the old Laws and Government

vernment, for the better rooting of them out, that themſelves alone may inhabit the earth, and eſtabliſh their new tyranny or Kingdom of the Saints upon the ruines of our antient Monarchy. Theſe men (like *Balaam*) *ſhall bleſs and curſe for hire*, and vent State-news, State-Doctrine, and poyſon the people with ſuch changeable and various principles as from time to time ſhall be dictated to them by thoſe Pſeudo-politicians as now ſit at the Helm; they ſhall conſen the people with pretended Illuminations, Revelations, and Inſpirations, and pour out all the Vials of Gods wrath amongſt them.

149. A fraudulent reconciliation and uniting of Intereſts attempted with a mock faſt for that purpoſe.

Cromwell and *Ireton* and their Faction, having formerly deluded all the Intereſts and parties of this Kingdom, were arrived to that height of impudence as to endeavour to cheat them all over again, they had by murthering the King, aboliſhing the Houſe of Lords, putting an execrable force upon the far major part of the Houſe of Commons, making themſelves and their Party a tyrannical Councel of State to uſurp the Supreme power and Government, endeavouring *a Tolleration of all Religions*, attempting to take away Tithes, mocking and then tyrannizing over that part of the Army they pleaſe to miſcall *Levellers*, diſtracted and diſcontented all parties within the Kingdom, and ſtirred up all the Princes of Chriſtendom to defend the common Intereſt of Kings, now controverted in *England*. This cloud threatned to pour down a new War upon them; to provide a remedy therefore for this ſore, *Cromwell* moved in the Houſe of Commons, *That the Presbyterian Government might be ſetled*, promiſing his endevors thereto, but whether he meant a Claſſicall or Congregationall Presbytery (which differs little or nothing from Independency) he did not declare: and here lyeth the fallacy; he likewiſe moved, *That the ſecured and ſecluded Members might again be invited into the Houſe*: they ſent their Agents both Laymen and Miniſters (amongſt whom Mr. *Marſhall*, *Nye*, *Carell*, *Goodwin*, and *Hugh Peters* were cheif) to cajole and decoy the Miniſters, Citizens, and the expulſed Members, with diſcourſes and propoſitions, they told them, the Presbyterians had differed from the King in point of civill Intereſt, which was more irreconcileable than that Intereſt of Church-Government, whatſoever ſhew was made to the contrary, (They will

See a Paper called, *Arguments againſt all Accommodation between the City of* London *&the engaged Grandees of the Parl. and Army*: And, *A ſeaſonable Caution to the City of* Lond. printed at the latter end of *Relations and Obſervations Hiſt. and Pol.* &c.

will not endure to hear the KING'S exemplary patience and Chriſtian charity to all; nor of his precepts and ſtrict injunctions to his Son of clemency, and abſtinency from revenge, contained in his laſt Book, [*The Pourtraicture of his Majeſty.*] Theſe things will both apologize for our young King, and condemn our bloody vindicative Saints.) that the Presbyterians as well as the Independents made War againſt the late King, brought him low, and prepared him to receive his late deadly Blow from the Independents, and therefore the King would look upon both parties as equally guilty, and was deeply engaged in point of Intereſt to cut off both parties: endeavouring by theſe diſcourſes to put the Presbyterians into *deſpair* (their own and *Judas*'s ſin) and then to work upon that baſe and cowardly principle of *ſelf-preſervation*, and invite them to join with them in point of civill intereſt and common Defence. But their kindneſſe was but like that of a malicious man, who having plague ſores on him, embraceth his friend rather to infect than cheriſh him: they know that by ſitting, voting, acting, and complying with them, whoſe actions the Laws of God and the Land have damned and anathematized with the higheſt condemnation) they ſhould contract the guilt of all their forepaſſed crimes and Treaſons; in the mean time the Presbyterians ſhould ſit and act but as a ſuſpected party, and ſhould be baffled and turned out again when the danger is paſt: the Independents keeping in their own hands all the power, profits and preferments of the Land, and uſing the Presbyterian party, but as *Gibeonites*, Hewers of wood, and Drawers of water under them; they invited them therefore to ſhare with them in their ſins, ſhames, and puniſhments, but would keep *Achan*'s Wedge and the Babyloniſh garment (the profit of their crimes) to themſelves: And (as if it were not ſufficient to couſin man without mocking God) the Houſe of Commons Ordered a *ſtrict Faſt to be kept upon Thurſday* 19. April 1649. *as a day of Humiliation to implore Gods forgiveneſſe for the ingratitude of the people, who did not ſufficiently acknowledge with thankfulneſſe Gods great mercies upon this Land in freeing them from Monarchy, and beſtowing liberty upon them, by changing Kingly Government into a Free-State or Republick.* The Faction knew that to partake with them in theſe prayers,

was

was to partake of their ſins. God deliver us from thoſe deceitful lips, whoſe prayers are ſnares, whoſe kiſſes prove curſes, and whoſe devotion leads to damnation: Never was Faſt injoyned with more ſeverity, nor neglected with more contempt and horror; men ſhunning it like the ſins of Rebellion and Witchcraft. Beſides, their Conſciences told them, *that they never ſuffered the thouſandth part of the oppreſſions they now groan under.*

About this time it was debated to ſend ſupplies for *Ireland*; the predominant Grandees were deſirous to purge the Army (as they had done the Houſe) and ſend the Levellers (Aſſertors of Liberty) thither; the Levellers were deſirous to keep their ground here, and ſend the more mercenary enſlaving and enſlaved part of the Army, the better to colour the deſign, *Cromwel* undertook to be conductor of this Expedition, and light them the way into *Ireland* with his Illuminated Noſe, having taken order beforehand that his precious ſelf ſhould be recalled time enough to keep up his party in *England* from ſinking by his longer abſence, and the better to accommodate the buſineſs, Lots were ſeveral times caſt what Regiments ſhould go; but the Lots not falling out to the minds of the General Councel of Officers, they caſt Lots again and again, until fortune agreed with their deſires: This being diſcovered, a printed Paper was ſcattered about the ſtreet, 26. *April*, 1649. as followeth: 150. The jugling deſign of ſending part of the Army for *Ireland.*

ALL worthy Officers and Souldiers who are yet mindful that you engaged not as a meer mercenary Army, hired to ſerve the Arbitrary ends of a Councel of State; but took up Arms in Judgement and Conſcience in behalf of your own, and the peoples juſt Rights and Liberties, you may ſee plainly by the proceedings of Col. Hewſon *with his Regiment, that the deſign of your grand Officers is, to reduce the Army to a meer mercenary and ſervile temper, that ſhall obey all their commands, without ſo much as asking a queſtion for Conſcience ſake. Intending by this blinde obedience in you to make you be whatſoever they ſhall finde requiſite to eſtabliſh their own abſolute power over the Commonwealth, yea, though it be to cut off your beſt friends, or perpetuate this their own Parliament and Councel of State, things ſo evidently deſtructive to your own and the peoples juſt Rights and Liberties, as nothing can be more.*

And

And for compaſſing whereof, you know they have long ſince diſſolved the Agitators, and erected a Councel amongſt themſelves by which they have moulded the Parliament and a Councel of State to their own wills; both which, are to be as a ſcreen between the People and your Grandees, to make the world beleeve, they do nothing but by Order of Parliament, and Councel of State, when they order all things themſelves; and indeed are confederated together to defend and protect each others in their defrauding and enſlaving the Commonwealth.

This they have long aimed at, but cannot poſſibly effect it, until they reduce the Army to a ſervile and baſe temper, which they have been labouring to bring to paſs a long time; as by picking quarrels with moſt Officers and Souldiers, that have manifeſted any ſenſe of Common Right, and ſo vexing them, and wearying them out of Troops and Companyes. And (you know) they have been more than once disbanding twenty of a Troop, upon pretence of eaſing the publick charge: all their miſchief being ever done, after either faſting and prayer, or upon ſome very ſpecious pretence; but the care and reſolution of the honeſt Officers and Souldiers ever prevented this.

But now the buſineſs for Ireland *(it ſeems) muſt do the deed; that being a ſervice that muſt be preferred before the ſetling of the Liberties and Freedoms of this Nation; and all that are not for this ſervice muſt be eſteemed no better than Enemies and Traitors; and therefore an* Ahab-like Faſt *goeth before the Lots are caſt: And* Col. Hewſon *falls to work, and diſbands all thoſe Souldiers and Officers that refuſed to ingage for the ſervice of* Ireland *before the Liberties of* England *(which we never trod under foot) be reſtored to the people.*

The end of this being to be a leading caſe to all other Regiments both Horſe and Foot; not that they certainly intend for Ireland, *but by ſuch means to be rid of all ſuch as are apt to deſire to be ſatisfied in their Conſciences of the juſtice of the Cauſe before they ingage in the killing and ſlaying of men any more; or before they ſee ſome fruits anſwerable to the blood that hath been ſpilt.*

And being rid of this kind of Officers and Souldiers, then to fill the Regiments as this Hewſon *doth, with ſuch ignorant, needy, or ſervile men, as theſe miſerable times (through loſs of Trade) have begotten.*

And this being done, then to make more ſtrict enquiry after this ſer-

rt of People in the Army, and all other places, ſuppreſs meetings, and that will not do, then to diſarm all from whom they ſuſpect the leaſt pining or oppoſition.

And therefore all thoſe Officers and Souldiers, and all people in all aces are concerned in a very high nature, even as much as the freedom the Nation is worth; yea, as they tender the good of their Wives ildren, Families and Poſterity, to venture their lives and all they ve to make oppoſition again this the greateſt miſchief that ever was tempted, the greateſt Treaſon that ever was committed againſt the erties of the People; and not to ſtand any longer in a mix-maze be-en h pe and fear; for if this deſign take place, your great Officers d their Confederates in Parliament and Councel of State, will be ſo many Kings, Princes, and Lords, and your ſelves, and all the p'e their Slaves and Vaſſals.

Therefore keep every man his place and poſt, and ſtir not, but immediately chuſe you a Councel of Agitators once more to judge of theſe things; without which we ſhall never ſee a new Parliament, or ever b quit of theſe intolerable burdens, oppreſſions, and cruelties, by which the people are like to be beggered and deſtroyed.

151. M. *Lockier* condemned by a Counce of War, with his honourable death & burial; and *Lilburns* Letter to the General.

About this time Mr. *Robert Lockier*, and five or ſix other Troopers of Captain *Savages* Troop were condemned for a ſuppoſed mutiny; in behalf of whom Liev. C. *John Lilburn* writ this Letter following to the General, dated 27. *April* 1649.

May it pleaſe your Excellency:

WE have not yet forgot your Solemn Engagement of *June* 5. 1647. whereby the Armies Continuance as an Army was in no wiſe by the will of the State, but by their own mutual Agreement: And if their ſtanding were removed from one foundation to another (as is undeniable) then with the ſame they removed from one Authority to another; and the Ligaments and Bonds of the Firſt were Diſſolved, and gave place to the Second; and under, and from the head of thir firſt Station, *viz.* By the Will of the State, the Army derived their Government by Martial Law; which in Judgment and Reaſon could be no longer binding then the Authority (which gave being thereto) was binding to the Army: For the denial of the Authority,

is an Abrogation and Nullment of all Acts, Orders, or Ordinances by that Authority as to them: And upon this Account your Excellency with the Army, long proceeded upon the Constitution of a new Councel and Government, contrary to all Martial Law and Discipline, by whom only the Army engaged to be Ordered in their prosecution of the Ends; to wit, Their several Rights, both as Souldiers and Commoners, for which they associated; Declaring, Agreeing, and promising each other, not to Disband, Divide, or suffer themselves to be Disbanded or Divided, without satisfaction and security in relation to their Grievances and desires in behalf of themselves and the Common-wealth, as should be agreed unto by their Councel of Agitators: And by vertue and under colour of this Establishment, all the extraordinary actions by your Excellency, your Officers and the Army have past: Your refusal to disband, disputing the Orders of Parliament: Impeachment and Ejection of Eleven Members; your first and second march up to *London*; your late violent Exclusion of the major part of Members out of the House, and their Imprisonment without cause, &c. which can no way be justified from the guilt of the highest Treason, but in the accomplishment of a righteous end, *viz.* the enjoyment of the benefit of our Laws and Liberties which we hoped long ere this to have enjoyed from your hands: Yet when we consider, and herewith compare many of your late carriages both towards the Souldiery, and other free people, and principally your cruel Exercise of Martial Law, even to the Sentence and Execution of Death upon such of your Souldiers as stand for the Rights of that Engagement, &c. And not only so, but against others not of the Army; we cannot but look upon your defection and Apostacy in such dealings; as of most dangerous Consequence to all the Laws and Freedoms of the People.

And therfore, although there had never been any such solemn Engagement by the Army, as that of *June* 5. 1647. which with your Excellency in point of duty ought not to be of the meanest obligation. We do protest against your exercise of Martial Law, against any whomsoever, in times of Peace; where all Courts of Justice are open, as the greatest encroachment upon our Laws and Liberties that can be acted against us, & particularly against the

the Tryal of the Souldiers of Captain *Savages* Troop yesterday, by a Court Martiall, upon the Articles of War, and sentencing of two of them to death, and for no other end (as we understand) but for some dispute about their Pay: And the reason of this our Protestation is from the *Petition of Right*, made in the third year of the late King, which declareth, *That no person ought to be judged by Law Martiall, except in times of War; and that all Commissions given to execute Martiall Law in time of Peace, are contrary to the Laws and Statutes of the Land.* And it was the Parliaments complaint; That Martiall Law was then Commanded to be executed upon Souldiers for Robbery, Mutiny, or Murder. Which *Petition* of Right this present Parliament in their late Declarations of the 9. of *February*, and the 17. of *March*, 1648. commend as the most excellentest Law in *England*, and their promise to preserve inviolably, it, and all other the Fundamentall Laws and Liberties, concerning the preservation of the Lives, properties, & Liberties of the People, with all things incident thereunto. And the exercise of Martiall Law in *Ireland*, in time of Peace, was one of the chiefest Articles for which the E. of *Strafford* lost his Head; the same by this present Parl. being judged High Treason. And the Parliament it self, neither by Act nor Ordinance, can justly or warrantably destroy the Fundamental Liberties and Principles of the Common Law of *England*: It being a Maxim in Law and Reason both, that all such Acts and Ordinances are *ipso facto*, null, and void in Law, and binds not all, but ought to be resisted and stood against to the death. And if the Supreme Autority may not presume to do this, much less may you, your Officers presume thereupon; For where Remedy may had by an ordinary course in Law, the Party grieved shall never have his recourse to extraordinaries. Whence it is evident, that it is the undoubted Right of every Englishman (Souldier, or other) that he should be punishable only in the ordinary Courts of Justice, according to the Laws and Statutes of the Realm in the times of Peace, as now it is; and the extraordinary way by Courts Martiall in no wise to be used.

Yea, the Parliaments Oracle, Sir *Edward Cook*, declares in the third part of his *Institutes*, Chap. of *Murder*, *That for a Generall or other Officers of an Army, in time of Peace to put any man, although*

-bough a Souldier, to death, by colour of Martiall Law, it is abſolute murder in that General, &c. Therefore erecting of Martial Law now when all Courts of Juſtice are open, and ſtopping the free current of Law, which ſufficiently provides for the puniſhment of Souldiers as well as others, as appears by 18. *H.* 6. *c.* 19. 2 & 3 *E.* 6. *c.* 2. 4 & 5 *P. & M. c.* 3. & 5. *El.* 5 & 5 *Jam.* 25. is an abſolute deſtroying of our Fundamental Liberties, and the raiſing of the Foundation of the Common Law of *England*; the which out of Duty and Conſcience to the Rights and Freedoms of this Nation (which we value above our Lives) and to leave You and Your Councel without all excuſe, we were moved to repreſent unto Your Excellency, Earneſtly preſſing you, well to conſider what you do, before you proceed to the taking away the lives of thoſe men by Martial Law; leaſt the blood of the innocent (& ſo palpable Subverſion of the Laws and Liberties of *England*) bring the reward of juſt vengeance after it upon you, as it did upon the E. of *Strafford*: For Innocent bloud God will not pardon; and what the people may do (in caſe of ſuch violent Subverſion of their Rights) we ſhall leave to your Excellency to judge, and remain.

Sir

From our Cauſeleſſe, and unjuſt, and Tyrannical Captivity in the *Tower* of *London*, *April* 27. 1649.

Your Excellencies bumble Servants, *IOHN LILBURNE.* *RICH. OVERTON.*

Notwithſtanding which Letter, and much other means made, the ſaid *Lockier* was ſhot to death in Saint *Paul's* Church-yard the ſame day, to ſtrike a terror and ſlaviſh fear into ſuch other Souldiers as ſhal dare to take notice of their approaching ſlavery; but his Chriſtian and gallant deportment at his death, with the honorable funeral Pomp accompanying him to his Grave turn'd all the terror of his tragedy into hatred and contempt of the Authors thereof.

152. Arrears given to Col. *Ham* and *Har. Martin*, and temptations put upon *Lilburn* & *Joyce*.

About this time the Houſe of Commons gave to Col. *Alexander Popham* all his Arrears, and to *Harry Martin* 3000l. to put him on upon the holy Siſters, and take him off from the Levellers: And *Cromwell* is now playing the Devils part, ſhewing the Kingdomes

Kingdomes of the earth, and tempting *John Lilburn* to fall down and worſhiip him, to forſake his good principles and engagements, and betray the Liberties of the people, but L. Col. *Lilburn* is higher ſeated in the good opinion of the People than to be ſuſpected of ſo much baſeneſs, who are confident he will as conſtantly reſiſt falſe promiſes & vain hopes, as he hath vain threats and terrors of Indictments, and not caſt away the hold he hath of immortality, by hearkning to ſuch a Syrene whoſe promiſes are but baits with a hook hidden under them; & his preferments but like *Mahomets* paradiſe; he that hath couſened all the Intereſts of the Kingdom will not ſcruple to cheat his enemy, a free-ſpirited plain meaning man. This is to undermine & blow up his credit with his party, and make him liable to a revenge hereafter: He that ſtoops to the lure of a known enemy is guilty of inexcuſable folly, and a Betrayer of himſelf, eſpecially having had ſo fair a Copy of conſtancy ſet him by Coronet *Joice*, who hath with much faithfulneſſe reſiſted the like allurements, and ſo foul a Copy of inconſtancy by *Reynolds*.

153. The deſign of making Members of Parliament liable to Arreſts.

The Commons have Ordered, *That upon complaint made to any Judge of the three Benches, the Judges ſhall ſend a Letter of Summons to ſuch Member of their Houſe as ſhall be complained of, to give an appearance, and ſubmit to legal proceedings, otherwiſe his Perſon to be liable to Arreſts.* But our preſent Judges are creatures to the Houſe of Commons, and know before-hand what Members are *Babes of Grace* in favor, and muſt be priviledged; and who are out of favour, and muſt not be privelidged, they have an *Index* tells them when to *grant*, and when to *deny*, *Sinners* muſt not be partakers of the ſame Laws *with Saints*: This is a Whip and a Bell to drive ſuch dogged Members out of the Hall as will not hunt in pack with the Grandees in purſuit of their deſign, and are quick-ſented enough to ſmel out their knavery, if they come too near their door? It is thought the tyrannicall Hocas Pocaſſes had an aim hereby to laſh *Harry Martin* off from the Levellers, and make him come in to them.

154. Women petition the Houſe for L. Col. *Lilburn* and his Company.

About this time ſome thouſands of well-affected Women of *London*, *Weſtminſter*, *Southwark*, and the *Hamlets*, ſtormed the Houſe of Commons with two Petitions in behalf of *Jo. Lilburn* and his Company: They complain of *the Council of States violent*

lent and illegall proceedings against them, in seizing them in the night by Souldiers; of Lockiers *being shot to death by Martiall Law; of their Arbitrary Government, Taxes, Excise, Monopolies, &c. That there was a design to fetch* Lilburn *and his Fellow Prisoners out of the Tower at midnight to* White-hall, *and there murder them; That the House by declaring the Abettors of the Book laid to those Prisoners charge Traytors, have laid a snare for people; when as hardly any discourse can be touching the affaires of the present times but falls within the compasse of that Book; so that all liberty of discourse is thereby utterly taken away, than which there can be no greater slavery.*

Second part of *England's* new Chains discovered.

They received not so good Answers to these Petitions as they were wont to receive, when they had Money, Plate, Rings, Bodkins, and Thymbles to sacrifice to these Legislative Idols, they were bid *Go home and wash their dishes*; to which some replied, *They had neither dishes nor meat left.*

155. Observations upon the Commons Answer to those that petitioned for *Lilburn, &c.*

Note that the Commons have returned answer to some Petitioners, *that Lilburn shall be Legally Tryed by Laws preceding the fact*, and yet by their Order, 11. *Aprill*, 1649, it is Ordered, *That the Atturney General be required to take speedy course for prosecution of Liev. Col.* John Lilburn, &c. *in the Upper Bench this Terme, upon the Declaration of this House, touching the Book, entituled,* [*The second part of* Englands *new Chains discovered.*] if this Order be not a Law and preceding the Fact too, then our supreme Saints have told a Legislative Lie. In the latter end of the said Answer they are angry the Petitioners should discover so much of their baseness, that *Cromwell* and *Ireton* rides them; and therefore (contrary to all mens knowledge, and their own Consciences) the term those Intimations, seditious Suggestions; and Ordered, that *Cromwell* and *Ireton* should draw up a Declaration to prevent the People from being misled by Sowers of sedition, such are the degenerous Spirits of under-Tyrants, who are Asses to their Superiors; and Lyons to their inferiors: *Cromwell* and *Ireton*, that have subverted all civill Authority, *murdered the* KING, possessed themselves of what they please, and enslaved the Kingdom with a Military tyranny, must draw up a Declaration according to their fancy, for their own vindication and the Commons must Father the Bastard and set the Stamp of their

Humiliter servivunt, aut superbe dominantur.

their Authority and priviledge upon it, leſt any man ſhould confute it, and beat back the Authors lies into their throats: but this is no new invention, for formerly when the Counſel of Officers ſet forth their Anſwer to the Houſe of Commons Demands concerning their ſecured Members, *Cromwell* and *Ireton* cauſed their Journey-men of that Conventicle to vote, *That the Houſe did approve the matter of the ſaid Anſwer*; thereby owning all the groſs lies therein contained to deter the impriſoned Members from replying to it, and ſo by a tacite confeſſion to acknowledge themſelves guilty.

Ireton penned this ſcandalous Anſwer of the ſaid Officers.

156. About this time appeared out of the Eaſt a New Light in our Horizon, the *Alchoran* of *Mahomet* (Predeceſſor to *Cromwel*) and of *Sergius* (forerunner of *Hugh Peters*) naturalized and turned Engliſh. Now the Jews (profeſſed Enemies to Chriſt (which *Mahomet* is not) are accepted of) it is believed that their *Thalmude* and *Caball* will ſhortly be made Engliſh too, that this Iſland may be rendred a compleat Pantheon, a Temple and Oracle for all Gods, and all Religions: our light-headed innovating people being like Reeds as apt to be ſhaken by, and bend unto every wind, every breath of pretended Inſpiration, as the antient Arabians were.

The Turkiſh *Alchoran* taught to ſpeak Engliſh

157. *May* 1. 1649. The frighted Conventicle of Commons conſidered of an Act (forſooth) to fortifie themſelves and their uſurpations with a Scar-crow of new-declared Treaſons, to the purpoſe following,

New declared Treaſons to defend tyranny and uſurpation, and enſnare the People.

1. *If any man ſhall maliciouſly* (this is a word of qualification, a back-door to let out ſuch as they ſhall think fit) *Affirm the preſent Government to be tyrannical, uſurped, or unlawful, or that the Commons in Parliament, are not the ſupreme Authority of the Nation, or endeavour to alter the preſent Government.*

2. *If any affirm the Councel of State or Parliament to be Tyrannical or unlawful, or endeavour to ſubvert them, or ſtir up ſedition againſt them.*

For Souldiers of the Army to contrive the death of the General, or Lieutenant General, or endeavour to raiſe mutinies in the Army, or to levy War againſt the Parliament to joyn with any to invade England *or* Ireland, *counterfeit the Great Seal, kill any Member of Parliament, or Judge, or Miniſter of Juſtice in their duty*: All theſe

Quære, Whether *Cromwel* be Lieutenant Generall, or no?

the ſeveral caſes to be Declared, *Treaſon.* You ſee the terrors of *Caine* purſue theſe guilty Cowards.

This Fools Bolt is chiefly aimed at the honeſt *Levellers*, this *Junto* of Commons have made themſelves *legal Traytors* already, and would now make all the Kingdom *legiſlative Traytors*; but I hope none of thoſe that arrogate the Reverend title of *Judges of the* Law (although againſt Law) will be ſo lawleſs as to give Sentence of Death upon any ſuch illegal Act of the Houſe of Commons; nay, this very Act denounceth ſlavery and bondage to the Nation, and therefore is an Act of the higheſt tyranny, and a ſnare.

158. The Levellers Randezvouz in *Oxfordſhire*

May 6. 1649. The honeſt Levellers of the Army (for that is the Nick-name which *Cromwell* falſly and unchriſtianly hath chriſtned them withall) Enemies to Arbitrary Government, tyranny and oppreſſion, whether they finde it in the Government of one or many? whether in a Councel of Officers, a Councel of State, or a fag end of a Houſe of Commons? whether it vail it ſelf with the Title of a Supreme Authority, or a Legiſlative power?) drew together to a Randezvouz about *Banbury* in *Oxfordſhire*, to the the number of 4000 or 5000, others reforting to them daily from other parts. This gave an Alarm to our Grandees, fearing the downfall of their domination. *Cromwell* (not knowing what party to draw out againſt them, that would be ſtedfaſt to him) ſhunned the danger, and put his property the General upon it to oppoſe the Randezvouz, and (looking as wan as the guilles of a ſick Turkey-cock) marched forth himſelf Weſtward, to intercept ſuch as drew to the Randezvouz. In the mean time the ſaid Levellers printed and publiſhed this enſuing Paper, entituled,

England's *Standard advanced*: or, *A Declaration from Mr.* Will. Thomſon, *and the oppreſſed People of this Nation, now under his conduct in* Oxfordſhire.

Dated at their Randezvouz, *May* 6. 1649.

WHereas it is notorious to the whole world, that neither the faith of the Parliament, nor yet the faith of the Army formerly made to the people of this Nation

in behalf of their Common Right, Freedom, and Safety) hath bin at al obſerv'd, or made good, but both abſolutely declined & broken, and the people only ſerved with bare words & fair promiſing papers, and left utterly deſtitute of all help or delivery: & that this hath principally been by the prevalency & treachery of ſome eminent perſons (now domineering over the people) is moſt evident. The Solemn Engagement of the Army at New-market, *and* Triplo-heaths *by them deſtroyed, The Council of Agitators diſſolved, the blood of War ſhed in time of Peace, Petitioners for common Freedom ſuppreſſed by force of Arms and Petitioners abuſed and terrified, the lawful Tryal by* 12 *ſworn men of the Neighborhood ſubverted & denied, bloody & tyrannical Courts (called an High Court of Juſtice, & a Council of State) erected, the power of the Sword advanced and ſet in the ſeat of the Magiſtrates, the Civil Laws ſtopt and ſubverted, and the Military Introduced, even to the hoſtile ſeizure, impriſonment, triall, ſentence, and execution of death, upon divers of the Free people of this Nation, leaving no viſible authority, devolving all into a Factious Junto and Council of State, uſurping and aſſuming the name, ſtamp, and authority of Parliament to oppreſs, torment and vex the people, whereby all the lives, liberties and eſtates, are all ſubdued to the Wils of thoſe men, no Law, no Juſtice, no Right or Freedom, no caſe of Grievances, no removal of unjuſt barbarous Taxes, no regard to the cries and groans of the poor to be had, while utter beggery and famin (like a mighty torrent) hath broken in upon us, and already ſeized upon ſeveral parts of the Nation.*

Wherefore through an inavoidable neceſſity, no other means left under Heaven, we are enforced to betake our ſelves to the Law of Nature, to defend and preſerve our

ſelves and Native Rights, and therefore are reſolved as one man (even to the hazard and expence of our Lives and Fortunes) to endeavour the Redemption of the Magiſtracy of England, *from under the force of the Sword, to vindicate the* Petition of *Right, to ſet the unjuſtly impriſoned free, to relieve the poor, and ſettle this Commonwealth, upon the grounds of Common Right, Freedome, and Safety.*

Be it therefore known to all the free people of England, *& to the whole world, that (chuſing rather to die for freedom, than live as Slaves) We are gathered and aſſociated together upon the bare Accompt of* Engliſhmen, *with our Swords in our hands to redeem our ſelves and the Land our Nativity, from ſlavery and oppreſſion, to avenge the blood of War ſhed in the time Peace, to have Juſtice for the blood of M.* Arnold, *ſhot to death at* Ware, *and for the blood of M.* Robert Lockier, *and divers others who of late by Martial Law were murthered at* London.

And upon this our Engagement in behalf of the Commonwealth, We do ſolemnly agree & proteſt, That we wil faithfully (laying all ſelf-reſpects aſide) endeavour the actual relief and ſettlement of this diſtreſſed Nation.

And that all the world may know particularly what we intend, and wherein particularly to center and acquieſs for ever, not to recede or exceed the leaſt punctilio. We do declare from the integrity of our hearts, that by the help and might of God we will endeavour the abſolute ſettlement of this diſtracted Nation, upon that Form and Method by way of an Agreement of the people, *tendred as a peace-offering by Lieu. Col.* John Lilburn, *Mr.* Wil. Walwyn, *Mr.* Tho. Prince, *and Mr.* Rich. Overton, *bearing date* May 1. 1649. *the which we have annexed to this our* Declar. *as the Standard of our Engage-*

Engagement, thereby owning every part and particular of the Premiſes of the Agreement, *promiſing and reſolving to the utmoſt hazard of our Lives and Abilities to purſue the ſpeedy and full accompliſhment thereof, and to our power, to protect and defend all ſuch as ſhall Aſſent or Adere thereunto; And particularly, for the Preſervation and Deliverance of* L. Col. Jo. Lilburn, M. Wil. Walwin, *Mr.* Tho. Prince, *Mr.* Richard Overton, *Capt.* Bray, *and Mr.* William Sawyer, *from their barbarous and illegal Impriſonments: And we Declare,* That if a hair of their heads periſh in the hands of thoſe Tyrants that reſtrain them, That if God ſhall inable us, we will avenge it ſeventy times ſeven-fold upon the heads of the Tyrants themſelves, and heirt Creatures.

And that till ſuch time as by Gods Aſſiſtance we have procured to this Nation the Declared purpoſe of this our Engagement, we will not Divide nor Diſband, nor ſuffer our ſelves to be Divided or Diſbanded, reſolving with ſoberneſs and civility to behave our ſelves to the Country to wrong or abuſe any man, to protect all to our power from violence and oppreſſion in all places where we come; reſolving to ſtop the payment of all Taxes or Seſſements whatſoever, as of Exciſe, Tythes, and the Tax of Ninety thouſand pounds per menſem

And having once obtained a New Repreſentative, *according to the ſaid* Agreement, *upon ſuch Terms and Limitations therein expreſſed: We ſhall then freely lay down our Arms, and return to our ſeveral Habitations and Callings.*

And concerning the equity, neceſſity, and juſtice *of our undertaking, We appeal to the judgment of the oppreſſed betwixt their Deſtroyers and Us; Whether by the Law of God of Nature & Nations it be not equally juſtifiable in*

us to engage for the Safety and Deliverance of this Nation, *as it was with the* Netherlanders, *and other People for theirs, and upon the same Principles that the Army engaged at* New-market *and* Triploe-heaths; *both Parliament and Army declaring,* That it is no resistance of Magistracy to side with just Principles, and Law of Nature and Nations: And that the Souldiery may Lawfully hold the hands of that General who will turn his Canon against his Army, on purpose to destroy them; The Sea-men the hands of that Pilot, who wilfully runs his Ship upon a Rock. *And therefore (the condition of this Commonwealth considered) we cannot see how it can be otherwise esteemed in us. And upon that Account we Declare,* that we do own, and are resolved to own all such persons, either of the Army or Countries, that have already, or shall hereafter rise up and stand for the Liberties of *England,* according to the said Agreement of the people: *And in particular,* We do own and avow the late proceedings in Col. *Scroops,* Col. *Harrisons,* and Major Gen. *Skippons* Regiments, declared in their Resolutions published in print; As *one Man,* resolving to live and dye with them, in their and our just and mutual defence.

And we do implore and invite all such as have any sense of the Bonds and Miseries upon the people; any Bowels of Compassion in them, any Piety, Justice, Honor, or Courage in their Breasts, any Affections to the Freedoms of England, *any love to his Neighbour or Native Country,* to rise up, *and* come in *to help a distressed miserable Nation, to break the* Bonds of Cruelty, Tyranny *and* Oppression, *and set the people* Free.

In which Service, Trusting to the undoubted goodness of a just and righteous Cause, we shall faithfully discharge

charge the utmoſt of our Endevours; Not ſparing the venture of all hardſhips and hazards whatſoever, and leave the Succeſs to God.

Signed by me *WILLIAM THOMPSON*, at our Randezvouz in *Oxfordſhire* near *Banbury*, in behalf of my Self, and the Reſt Engaged with me, *May* 6. 164[illegible]

For a New Parliament; By the Agreement of the People.

About this time Doctor *Doriſlaus* a Civil Lawyer, ſometimes Judge Advocate to the Earle of *Eſſex*, and Lord *Fairfax*, and lately one of the Councel in the High Court of Juſtice againſt the KING and the four Lords, was ſent from the Parliament, Agent into *Holland*, where about eighteen *Scots-men*, repairing to his lodging, ſix of them went up the ſtairs to his Chamber, whilſt twelve of them made good the ſtair foot, they ſtabb'd him to death, and eſcaped. 159. Dr. *Doriſlaus* ſtabbed to death in *Holland*.

About the 14. day of *May*, 1649. Report was made from the Councel of State to the Houſe of the examination of 3 Servants of Doctor *Doriſlaus*, concerning the Death of their Maſter; and what allowances were fit to be given to his Children out of the Kings Revenue, thereby to lay an aſperſion upon the King (as if He having had an influence upon that Fact, His eſtate muſt make the recompence, notwithſtanding Scotiſh-men did the deed in revenge of *Hamiltons* death) *Doriſlaus* had been a poor School-maſter in the *Low Countries* formerly, from whence he was tranſlated to read the *Hiſtory-Lecture* at *Oxford*, where he decried *Monarchy* in his firſt *Lecture*; was complained of, and forgiven by the benignity of the *King*. Then he became Judge Advocate in the Kings Army in his expedition againſt the *Scots*; afterwards he had the like imployment under the Earle of *Eſſex*: And laſtly, under Sir *Tho. Fairfax*, a great Gainer by his imployments, but withall, a great Antimonarchiſt, and a Saint in *Cromwels* Rubrick, and therefore had a magnetick vertue both living and dead to draw money to him in abundance. Upon occaſion of this Debate, *Haſlerigge* moved, *That ſix Gentlemen of the beſt* 160. *Haſleriggs* barbarous motion to murder ſi Royaliſts or the beſt quality in revenge of *Doriſlaus*.

quality

quality [Royaliſts] might be put to Death as a revenge for Doriſlaus *and to deter men from the like attempts hereafter.* (That you may the better ſee of what Spirit *Haſlerigge* is known, That ſome Northern Counties having petitioned the Commons for relief againſt the miſerable Famine raging there: *Haſlerigge* oppoſed their requeſt, ſaying, *The want of food would beſt defend thoſe Counties from Scottiſh Invaſions.*) What man that had any ſenſe of Chriſtianity, Courage, Honeſty, or Juſtice, would have been the Authour of ſo barbarous and unjuſt a motion, That ſix Gentlemen no way conſcious nor privy to the fact ſhould be offered up a ſacrifice to revenge and malice, nay, to guilty fears and baſe cowardize, to keep off the like attempts from *Haſlerigge* and his Party. I wiſh this Gentleman would read the *Alcharon* (or new Independent Bible of the new Tranſlation) and from thence gather precepts of more Humanity, Juſtice, Honeſty and Courage, ſince he hath read the Old and New Teſtament of *Moſes* and *Chriſt* to ſo little purpoſe. Yet the Houſe 18. of *May* paſſed a Declaration, *That if more Acts of the like nature happened hereafter, it ſhould be retaliated upon ſuch Gentlemen of the Kings Party as had not yet Compounded.* But this is but a device to fright them to Compound, unleſs it be a forerunner to Maſſacre heretofore taken into conſideration at a Councel of War See Sect. 117.

161. An act declaring more new Treaſons

About this time came forth that prodigious Act, declaring four *new Treaſons* with many complicated Treaſons in their bellies, the like never heard of before in our Law, nor in any Kingdom or Republick of Chriſtendom; becauſe I have formerly ſpoken of it, the Act it ſelf printed, publiſhed, and dreadfully notorious throughout the whole Kingdom; I will refer you to the printed Copy, only one clauſe formerly debated was omitted in the Act, *viz. That to kill the General, Lieu. Gen. any Members of this preſent Parliament or Coun of State, to be declared Treaſon*; this would have diſcovered their guilty cowardize ſo much they were aſhamed of it; beſides it was thought fit to make the people take a new oath of Allegiance to the new State. Firſt, I will only give you ſome few Obſervations thereupon. This Act declares to be Treaſon untoo death and confiſcation of Lands all Deeds, Plots, and Words: 1.) Againſt this preſent fag end of a Parliament, and againſt their

their never before heard of Supream Authority and Government: for, when was this Kingdom ever governed by a Parliament, or by any power conſtituded by them? (2.) All endeavours to ſubvert *the Keepers of the Liberties of England*, and *Councell of State* conſtituted, and to be from time to time conſtituted by Authority of Parliament, who are to be under the ſaid Repreſentatives in Parliament, (if they pleaſe, and not otherwiſe for the *Sword* and the *Purſe* truſted in the power of the Councell of State) yet *the Keepers of the Liberties of England* and *the Councell of State of England to be hereafter conſtituted by Parliament*, are *Individua vaga*, ayrie notions not yet named nor known, and when they are known we owe them no Allegiance, (without which no Treaſon) by the known Laws of the Land, which is onely due to the King, His lawfull Heirs and Succeſſors thereto ſworn; nor any the particular Powers and Authorities granted to this Parliament by the ſaid keepers of the Liberties of *England*, and Council of State yet any where authenticaly publiſhed and made known to us by any one avowed Act, (unleſſe we ſhall account their Licenſed News Books to be ſuch) and therefore they may uſurp what powers they pleaſe: So that theſe men who involved us in a miſerable War againſt the late murdered KING, pretending he would enſlave us, and they would ſet us free; have brought us ſo far below the condition of the baſeſt Slaves, that they abuſe us like brute Beaſts, and having deprived us of our Religion, Laws and Liberties; and drawn from us our mony and bloud, they now deny us the uſe of reaſon & common ſenſe, belonging to us as men, and Govern us by Arbitrary, irrationall Votes, with which they bait Traps to catch us: Woe be to that People whoſe Rulers ſet nares to catch them, and are *amari venatores contra Dominum*, Men-hunters againſt God: nay, *to move any perſon to ſtir up the People againſt their Authority is hereby declared Treaſon*: mark the ambiguity of theſe words (like the Devils Oracles) which he that hath Power and the Sword in his hands will interpret as he pleaſe: If the Keeper of the Liberties of *England*, or Councill of State ſhall extend too far, or abuſe their Authority never ſo much contrary to the Laws of the Land, Reaſon, Juſtice, or the Laws of God (as hath been lately done in this caſe of *Lylburn*,

Walwin

Walwin, &c.) no Lawyer, no Friend ſhall dare to perform that Chriſtian duty of giving Council or help to the oppreſſed, here Fathers and Children, Husbands and Wives, Brothers and all relations muſt forſake, nay, betray one another, leſt theſe Tyrants interpret theſe duties to be, A moving of them to *ſtirr up the People againſt their Authority.* 3. *All endeavours to withdraw any Souldier or Officer from their obedience to their Superior Officer, or from the preſent Government,* as aforeſaid, By which [redacted] it is Treaſon: Firſt, *if any mans Child,* or Servant, be inticed into this Army, and the Father or Maſter endeavour to withdraw him from ſo plundering and roguing a kind of life back to his profeſſion. Secondly, *If any Commander or Officer* ſhall command his Souldiers to violate, wrong, or rob any man for the party ſo aimed at, or ſome wel-meaning Friend to ſet before the ſaid Souldiers the ſin and ſhame of ſuch actions, and diſſwade them from obeying ſuch unlawfull commands. 4. If any man ſhall preſume to counterfeit their counterfeit Great Seal, It is declared Treaſon. I wonder it is not Treaſon to counterfeit their counterfeit coyn! Behold here new minted Treaſons current in no time and place but this afflicted Age and Nation: *Edw. 3. anno 25. regni. ch.* 2. paſſed an excellent Act to ſecure the People by reducing Treaſons to a certainty, as our new Legiſlative Tyrants labour to enſnare the people by making Treaſons uncertain and arbitrary; what they pleaſe to call Treaſon ſhall be Treaſon, though our known Laws call it otherwiſe; we have long held our Eſtates and Liberties, and muſt now hold our Lives at the will of thoſe Grand Seigniors, one Vote of 40 or 50 factious Commons, Servants and Members of the Army vacates all our Laws, Liberties, Properties, and deſtroys our Lives. Behold here a ſhort view of that Act which hath no additions by any Act ſubſequent. See *ſtat.* 1. *Mariæ, c.* 10. Whereas diverſe opinions have been before this time, in what caſes Treaſon ſhall be ſaid, and in what not, the King at the requeſt of the Lords and Commons, Declares:

Sic volo, ſic jubeo, it ſhall be Treaſon, becauſe they will call and Vote it ſo.

See 1 H. 4. c. 10. 11 H. 7. c. 1.

1. *That to compaſſe or imagin the Death of the* KING, (how much more to act it) *Queen, or their eldeſt Son and Heyr.*

2. *To violate the* KING'S *Companion, eldeſt Daughter unmarried, or the Wife of the* KING'S *eldeſt Son and Heyr.*

3. *To*

3. *To levy War again the* King, *or adhere to his Enemies in his Realm, and thereof be proveably attainted of open deed by people of their condition.*

4. *To counterfeit the* Kings *Great or Privy Seal.*

5. *Or his Money.*

6. *To ſlay the* Kings *Chancellor, Treaſurer, Juſtices of one Bench or other, Juſtices in Eyre, Juſtices in Aſſize, and all other Juſtices aſſigned to hear and determine, being in their places doing their Offices.*

If any other caſe ſuppoſed Treaſon which is not above ſpecified, doth happen before any Juſtices, the Juſtices ſhall tarry without any going to Judgement of the Treaſon till the Cauſe be ſhewed and declared before the King *and his Parliament* (not before the Houſe of Commons only, or before both Houſes without the King) *whether it ught to be adjudged Treaſon.*

So the four Lords ought to have been Tried not by a new ſhambles of Juſtice.

You ſee how few in number theſe Treaſons ſpecified are, and iat they muſt be attainted of open deed by their Peers; ou *ords were free under Monarchy, though not free under our Free-tate;* ſo were they under the Romans. *Tacitus, An.* 1 *ſub finem,* eaking of Treaſons, *Facta arguebantur, dicta impune erant.* Theſe orrible tyrannies conſidered (and being deſtitute of all other ſs deſperate relief) I do here ſolemnly declare and proteſt efore that God that hath made me a Man, and not a Beaſt, a ree-man, and not a Slave, that if any man whatſoever that ta-:th upon him the reverend name and title of a *Judge* or *Juſtice* all give Sentence of death upon any friend of mine upon this any other illegal Act of this piece of a Houſe of Commons, I ill, and lawfully may (the enſlaving ſcar-crow doctrine of all me-ſerving, State-flattering Prieſts and Miniſters, notwith-nding) follow the examples of *Sampſon, Judith, Jael,* and *Ehud,* id by *Ponyard, Piſtol, Poyſon, or any other means whatſoever, ſe-et, or open, proſecute to the Death the ſaid Judge and Juſtice, and l their principal Abettors:* And I do here invite and exhort all enerous free-born Engliſh-men to the like reſolutions, and to nter into Leagues defenſive and offenſive, and ſacramental aſ-ociations (ſeven or eight in a company, or as many as can well onfide in one another) to defend and revenge mutually one nothers Perſons, Lives, Limbs, and Liberties as aforeſaid a-

gainſt this, and all other illegal and tyrannous Uſurpations.

162. A motion to enlarge Sir *Will. Waller*, &c.

About this time, or a little before, the General was moved to enlarge Sir *William Waller*, and the other Members illegally kept Priſoners in *Windſor*: He anſwered, *They were no longer his, but the Parliaments priſoners*; It ſhould ſeem the Brute hath made a private deed of gift of them to his Journy-men of the Houſe.

And the Generals Anſwer intimating the ſecuring of the Members to be done by confederacy with the Army-party in the Houſe.

The Generals Warrant ſeized and impriſoned them, and notwithſtanding the Councel of Officers declared in Print, *that they were preparing a Charge againſt them*, yet the Knaves lyed like Saints; they were then ſo far from having matter to accuſe them of, that they have ever ſince hunted after a Charge againſt them, and endeavoured to ſuborn Witneſſes; but after 24 weeks reſtraint (whereas by the Law *no man ought to be committed without an accuſation*) they have found nothing againſt them. This turning over of theſe Priſoners to the Houſe of Commons, proves what I formerly aſſerted in Sect. 24. *That the violence of the Army in ſecuring and ſecluding the Members, was by conſent of their* Somerſet-Houſe *Junto now ſitting in the Houſe of Commons.*

163. The General ſends forth Warrants to all Juſtices of the Peace to attach thoſe Levellers that he had routed.

The honeſt Levellers (moſt of them Country-men) endeavouring to draw to a Randezvouz, about 600 or 700 of them marched from *Banbury* to *Burford* in *Oxfordſhire*, where lying ſecurely (becauſe they were upon treaty with the Enemy) their Quarters were beaten up, and about 180 of them taken Priſoners, which their enemies (according to their uſual cuſtome) to gain reputation by lying, reported to be ſo many Hundreds. And the General (as if they had been all routed) ſent forth his Warrants to all Juſtices of the Peace in the adjacent Counties, requiring them to *apprehend and ſecure all ſuch of them as ſhall be found*; I deſire to know by what Authority the General takes upon him to command Juſtices of the Peace who are not under his power, and what tame Animals theſe Juſtices are that will ſubmit to his commands? and whether he thinks the Civil Magiſtrate to be obnoxious to the Power of the Sword, and the Councel of Officers? and his ſingle ſelf the Supreme Magiſtrate or Tyrant Paramount, notwithſtanding the Vote of his Journy-men Commons, *That no ſingle Man ſhould be truſted with the Supreme Power.*

See the Vote and Act for aboliſhing the Kingly office.

The Levellers having poſſeſſed themſelves of *Northampton*: The

the General (it is ſaid) thought fit to take hold of the Horns of the Altar, and wrote to his Vaſſals of the City to ſend their Trained Bands to his relief, that he might the better domineer over them, and continue their ſlavery hereafter. But if the Citizens have no more wit, I wiſh their Horns may be as viſible in their fore-heads, as the Noſe in *Olivers* face. The Generall ſends to the City for additional Forces.

To cozen the honeſt Levellers, the Commons (in order to the ending this preſent Parliament) are debating how to pack a ſucceeding Repreſentative as wicked as themſelves, and of the ſame leaven; whoſe Election ſhall not be free, but bounded with ſuch Orders of limitation and reſtriction as ſhall ſhut out all men from electing or being elected, as are not preciſely of the ſame principles and practiſes, and as deep engaged in their tyrannical trayterous, cheating, bloody deſigns as themſelves, guilty Committee men, and Accountants to the State ſhal be the next Repreſentative; and for the better lengthening of the buſineſſe (that they may ſee what ſucceſs (in the mean time) the Levellers will have) they wire-draw it through a Committee, and refer it to be debated by a Committee of the whole Houſe. And at laſt (if they muſt diſſolve) having packed themſelves into a Council of State, they will uſurp the Supreme Authority there: to prepare the way to which deſign, they have paſſed another Act, *May* 19. *That the people ſhall be Governed as a Free-ſtate by Repreſentatives, and by ſuch as they ſhall conſtitute*; and then conſider what kind of Repreſentatives we are like to have. 165. The Commons colourably debate to diſſolve this Parl. and ſettle a ſucceeding Repreſentative.

Great care is taken that the State (or rather our States-mens private pockets) might not be prejudiced by Judgements, Extents, &c. lying upon Delinquents Eſtates: you ſee notwithſtanding their Declaratory Vote, *That in things concerning the Lives, Liberties and properties of the people, they would maintain the known Laws of the Land*; yet this Vote (as well as all others) hath a *condition implyed*, that it do no ways hinder the gains of our godly Grandees, otherwiſe they would not conſider how to defeat Creditors of their legal aſſurance, 166. A debate how to defeat Judgments, Extents, &c. up on Delinquents Lands ſect.

John Lilburn being ordered a cloſe Priſoner in the Tower by the Commons without Pen, Ink, or Paper (which was tyranny under King *Charls*, but not under K. *Oliver*) a Petition was preſented to the Commons by many well-affected, that *John* might 167. *John Lilburns* ſtarving imprisonment in the Tower.

The allowance is 4 l. a week, as I conceive.

have the allowance uſually and legally due to Priſoners in the like caſe for his ſupport; which was rejected, inſomuch that *John* was kept 3 whole days with one half meals meat; this is to condemn men unheard to be murdered by famine in their *private ſlaughter-houſes*, when they cannot, or dare not murder them in their *pretended Coarts of Judicature, or publick ſhambles*: yet afterwards, when the drawing together of the Levellers and diſcontents of *Newcaſtle* affrighted the Commons, they Voted him the ſhort allowance of 20 s. a week. Thus you ſee nothing but *fears* and *dangers* can kindle the leaſt ſpark of *goodneſs* and *compaſſion* in their woolviſh breaſts: wherefore Lord (I beſeech thee) heap *fears and terrors* upon their guilty pates, till with *Judas Iſcariot* they cry out, *We have ſinned in that we have betrayed innocent blood.*

168. Why *Ireton* laid down his Commiſſion.

Cromwell being to march againſt the Levellers, left *Ireton* behind him (like a hobby daring of larks) to over-awe the Conventicle at *Weſtminſter*, and ſee they chaunt no tune but of their ſetting, the better to keep himſelf in a neutral reconciling poſture: *Ireton* laid down his Commiſſion, (which he can take up again at leaſure) whereby he puts off all addreſſes to him from the leelling party for the preſent. This poor fellow now keepeth his olden Coach which coſt 200l. and 4 gallant Horſes. The world well altered with ſuch petty Companions; and hereby the ouldiers may ſee what becomes of their Arrears. There hath een a ſeeming falling out between *Cromwell* and *Ireton*.

169. *Hugh Peters* viſits *J. Lilburn* in the Tower, and the ſum of their Conference. Witneſs his rampering with *Hamilton*, &c.

John Lilburn being a cloſe Priſoner in the Tower (as hath been ſaid) *Hugh Peters* (Chaplain in Ordinary to two great Potentates, *Lucifer* and *Oliver*) came about dinner-time (*May* 25. 1649.) to viſit him; and though admittance be denied to other men, yet to him the Gates flew open: as ſure as Saint *Peter* keeps the Keys of Heaven, *Hugh Peters* keeps the keys of our Hell and our Grandees Conſciences, and openeth and ſhutteth at pleaſure: he is Confeſſor at *Tyburn*, and hath a great power over damned Spirits, or rather over ſuch Spirits, as not ſubmitting baſely to the tyranny of our State-Mountebanks, incur their condemnation in this word (by Gods permiſſion) in order to their ſalvation in the next world: the tyranny of theſe Iſurpers implying at once, their cruelties over our bodies, and Gods

Gods mercy to our ſouls. *Hugh's* firſt ſalute was, *That he came meerly to give* John *a viſit, without any deſign* (his guilty conſcience prompting him to a voluntary Apology.) *John* anſwered, *I know you wel enough, you are one of the ſetting Dogs of the great Men of the Army, with fair and plauſible pretences to inſinuate into men, when they have done them wrong, & to work out their deſigns when they are in a ſtrait, and cover over the blots that they have made.* Then *John* complained of the ‖ *illegal and violent ſeizing upon him by Souldiers, and carrying him before that new erected thing, called* [A Council of State] *who committed him without any Accuſor, Accuſation, Proſecutor or Witneſs, or any due proceſs of Law; and yet when the King impeached the five Members, and preferred a Charge of high Treaſon againſt them;* Recorded 1. par. Book of Decl. p. 35. *and only failed in a ſingle puntilio of due proceſs of Law,* they cried out, *it was an Invaſion of the Peoples Liberties; ſo that four or five Recantations from him* (recorded in their own Declarations) *would not ſerve his turn. Peters* half out of countenance (if ſo proſtituted a Villain that practiſes impudence amongſt common Whores, and whoſe Pulpit is more ſhamefull than another mans Pillory, can be out of countenance) takes up one of *Coke's* Inſtitutions, & profeſſed *Lilburn was meerly gulled in reading or truſting to thoſe Books, for there were no Laws in* England. *John* anſwered, *he did believe him, for that his great Maſters,* Cromwel, Fairfax, &c. *had deſtroyed them all. Nay* (quoth *Hugh*) *there never were any in England;* with that *John* ſhewed him *the Petition of Right,* asking him, *whether that were Law?* which *Peters* had the impudence to deny, asking, *what Law was? John* replyed * out of the Parliaments own Declarations, *The Law is that which puts a difference between good and evil, juſt and unjuſt: If you take away the Law, all things will fall into confuſion, every man will become a Law unto himſelf, which in the depraved condition of humane nature muſt needs produce great enormities; Luſt will become a law, Envy a law, Covetouſneſt and ambition will become laws; and what dictates, what deciſions ſuch laws will produce may eaſily be diſcerned. This* (*Mr.* Peters) *is a Definition of Law by the Parliament in the dayes of their primitive purity, before*

‖ Compare this Act of the Kings, with the violent Act of thoſe Traytors and Tyrants, *Fairfax* and his Councel of War inimprioning and excluding above 200 Members at once without cauſe ſhewn, and leaving only 40 or 50 of their chearing Faction in the Houſe to carry on their bloody Anarchical deſigns; ſome of which ſecured Members withbarbarous uſage were almoſt brought to death, and their murther ſince attempted by Souldiers.

* The Law is now taken away, and all things in confuſion by turning our Monarchy (without our conſent) into a Free-State or Stoves governed by Tyrants.

they

they had corrupted themſelves with the Commonwealths money. And elſewhere the Law is called, The ſafeguard, the cuſtody of all private Intereſts, your honors, lives, liberties, and eſtates, are all in the keeping of the Law, without this every man hath a like Right to any thing; It is the beſt birth-right the Subject hath: it is a miſerable ſervitude or bondage where the Law is uncertain, or unknown. To this the Comick Prieſt replyed, *I tell you (for all this) there is no Law in this Nation but the Sword, and what it gives; neither was there any Law or Government in the world, but what the Sword gave.* To this the honeſt Lievtenant Colonel anſwered, *Mr. Peters, you are one of the Guides of the Army, uſed by the chief Leaders to trumpet their principles and Tenents; and if your reaſoning be good, then if ſix Theeves meet three or four honeſt men and rob them, that act is righteous, becauſe they are the ſtronger Party. And if any power be a juſt power that is uppermoſt, I wonder how the Army and Parliament can acquit themſelves of being Rebels and Traytors before God and man, in reſiſting and fighting againſt a juſt power in the King, who was a power up and viſible, fenced about with abundance of Laws, ſo reputed in the common acceptation of Men: by the expreſs letter of which all thoſe that fought againſt him are* (ipſo facto) *Traytors; and if it were not for the preſervation of our Laws, and Liberties, why did the Parliament fight againſt him, a preſent power in being? and if there be no Laws in* England, *nor never was, then you and your great Maſters,* Cromwell, Fairfax, *and the Parliament, are a pack of bloody Rogues and Villains, to ſet the People to murder one another, in fighting for preſervation of their Laws (in which their Liberties were included) which was the principal declared Cauſe of the war from the beginning to the end. I thought* (quoth the Lievtenant Colonel) *I had been ſafe when I made the known Laws the rules of my actions, which you have all ſworn and declared to Defend and make as the ſtandard and touchſtone between you and the People.* **I but* (replyed *Hugh*) *I will ſhew that your ſafety lies not therein, their minds may change, and then where are you? I but* (quoth the Lievtenant Colonel) *I cannot take notice of what is in their minds to obey that; but the conſtant Declaration of their minds* (never contradicted in any of their Declarations) *as, that they will maintain the Petition of Right, and Laws of the Land, &c.* This was the ſubſtance of their diſcourſe, ſaving that *John* pinched upon his great Maſters large fingring of the Com-

This Doctrine of Devils, that it is lawful to ſubmit to any preſent power that is ſtrongeſt, is broched in a Pamphlet by old *Rowſe* the illiterate Jew of *Eaton College*. And by *John Goodwin* the ſophiſtical Divine; which is fully confuted in *A Religious Demurrer concerning ſubmiſſion to the preſent power*; an excellent peice.

* The Laws are now no protection to us, nor the rule of our actions, but the arbitrary wills and luſts of the Grandees.

mon-

mon-wealths money, calling it, *Theft and State-Robbery*, and ſaying, *That* Cromwel *and* Ireton *piſſed both in one quill, though they ſeem ſometime to go one againſt another; yet it is but that they may the more eaſily carry on their main deſign, to enſlave the People.*

Reader, I was the more willing to preſent the ſumme of this Debate to thee, that by comparing their doctrine and principles with their daily practices, thou mayeſt perfectly ſee to what condition of ſlavery theſe beggarly upſtart Tyrants and Traytors have reduced us by cheating us into a War againſt our lawful Sovereign, under pretence of defending *our Laws and Liberties, and the Priviledges of Parliament*, which themſelves only (with a concurring faction in the Houſe) have now openly, and in the face of the Sun pulled up by the roots, and now they ſtop our mouths, and ſilence our juſt complaints with horrid, illegal and bloody Acts, Declaring *words* and *deeds* againſt their uſurpations and tyranny to be *High Treaſon*; nothing is now Treaſon but what the remaining faction of the Houſe of Commons pleaſe to call ſo. *To murder the King, break the Parliament by hoſtile force, put down the Houſe of Lords, erect extrajudicial High Courts of Juſtice to murder men without Trial by Peers, or Jury, or any legal proceedings; to ſubvert the fundamental Government by Monarchy, and diſpoſſeſs the right Heir of the Crown, and to uſurp his Supreme Authority in a* factious fag-end *of the Houſe of Commons, to put the Kingly Government* into a packed Junto of forty Tyrants, called, *A Councel of State; to exerciſe Martial Law in times of Peace*, and upon perſons no Members of the Army; *to raiſe* what unneceſſary *illegal Taxes* they pleaſe, and ſhare them and the Crown Lands and Revenues amongſt themſelves, leaving the Souldiers unpaid to live upon *Free-quarter*, whilſt they abuſe the people with pretended *Orders againſt Free-quarter*; *to alter the Styles of Commiſſions, Patents, Proceſs, and all Legal proceedings, and introduce a forraign Juriſdiction; to Counterfeit the Great Seal and Coin of the Kingdom*, and to *keep up Armies of Rebels* to make good theſe and other Tyrannies and Treaſons, is *High Treaſon by the known Laws*; but now (by the Votes of the Conventicle of Commons) it is *High Treaſon to ſpeak againſt theſe crimes.* Good God! how long will thy patience ſuffer theſe Fools to ſay in their hearts *there is no God?* and yet *profeſs* Sect. 162.

thee

thee with their mouths? to break all Oaths, Covenants, and Proteſtations made in thy Name to cloak and promote their Deſigns with dayes of impious faſting and thankſgiving? how often have thy Thunderbolt rived ſenſleſs Trees and torn brute Beaſts that ſerve thee according to their Creation? yet thou paſſeſt over theſe men who contemn thee, contrary to their knowledge and profeſſions; *Scatter the people that delight in War: Turn the Councels of the wiſe into folly, let the crafty be taken in their own net*; and now at laſt, *let the Oppreſſed taſte of thy mercies, and the Oppreſſor of thy juſtice*; throw thy rod into the fire, and let it no longer be a bundle bound together in thy right hand, They appeal to thee *as Author* of their *proſperous ſins*, become (Lord) *Author of their juſt puniſhments*; beſtow upon them the *rewards of Hypocrites*, and teach them to know the difference between the *ſaving ſtrength* of Magiſtrates, and the *deſtroying violence of Hang-men*: But what am I that argue againſt thy long-ſuffering (whereof my ſelf ſtand in need) and ſeek to ripen thy vengeance before thy time? *Shall the pot ask the Potter what he doth? I beheld the proſperity of the wicked, and my feet had ſlipped: Lord amend* all in thy good time, and teach us heartily to pray, *Thy will be done in Earth as it is in Heaven.*

170. The Act for Aboliſhing Monarchy proclaimed in *London.*

May 30. 1649. The aforeſaid Trayterous Act *for aboliſhing Kingly Government*, and converting *England* into a *Free-State*, (conſiſting of forty Tyrants, and many millions of ſlaves) was proclaimed in *London* by the newly intruded *illegal Lord Mayor Andrews*, accompanied with 14 *Aldermen* of the ſame pack; the people in great abundance crying out, *Away with it, away with it*; *GOD ſave King CHARLES the Second*; and bitterly reviling and curſing it and them, until ſome Troops of Horſe (ready prepared in ſecret) were ſent to diſperſe, beat, and wound them: and yet the *Trial of the King*, and the ſubverting of our well-formed *Monarchy* (under which we lived ſo happily heretofore) with all other Acts of the like high nature, was done *in the name of the People of England*, although (I dare ſay) at leaſt *five hundred to one (if they were free from the terrour of an Army) would diſavow theſe horrid Acts*; ſo little are the people pleaſed with theſe doings: notwithſtanding the *new Title* the Conventicle of Commons have gulled them withall, Voting the people

of

of *England* to be *The Supreme Power*, and the Commons repreſenting them in Parliament, *the Supreme Power of the Nation* under them: This was purpoſely ſo contrived to *engage the whole City*, and make them as deſperately and impardonably guilty as themſelves; and certainly if this Tumult of the People (*amounting to a publick diſclamour of the Act*) had not happened, the whole City had been *guilty by way of connivance*, as well as theſe Aldermen, and the *illegal Common Councel*, newly packed by the remaining Faction of Commons, contrary to the Cities Charters, to carry on theſe and ſuch like Deſigns, and *entangle the whole City in their Crimes and Puniſhments.*

* *The Names of the Lord Mayor and Aldermen of the City of* London *that perſonally proclaimed the Act* for aboliſhing Kingly Government.

Alderman *Andrews*, Lord Mayor.

Alderman *Pennington*,	Alderman *Bateman*.
Ald. *Wollaſton*,	Ald. *Atkins*,
Ald. *Foulkes*,	Ald. *Viner*,
Ald. *Kenrick*,	Ald. *Avery*,
Ald. *Byde*,	Ald. *Wilſon*,
Ald. *Edmonds*,	Ald. *Dethick*,
Ald. *Pack*,	Ald. *Foot*.

The Phariſaical Houſe of Commons voted an Act, *June* 1. for a day of Thankſgiving to ſet off K. *Olivers* Victory over the Levellers with the more luſtre, and to ſing *Hoſanna* to him for bringing the grand Delinquent to puniſhment. The wiſe Lord Mayor and his Brethren (in imitation) invited the Parliament, Councel of State, the General, and his Officers, to a Thankſgiving Dinner upon that day. The Commons appointed a Committee (under pretence of drawing more money from Adventurers for the Relief of *Ireland*) to engage the City farther to them; *Cromwel* had the Chair in that Committee: the device was, that the Common Councel ſhould invite the Parliament,

171. A Thankſgiving Dinner in the City for the General, &c.

Councel of State, and Officers of the Army to Dinner, and feaſt them as a Free-State, and then move the Supplies for *Ireland*. But if the Levellers had prevailed, the Thankſgiving White-broth and Cuſtard had been beſtowed upon thoſe free-ſpirited Blades, whom *Oliver raiſed into a mutiny with one hand* (and by advantage of his Spies) *caſt down with another*, for the glory of his own Name, and *that he might have occaſion to purge the Army* (*as he had done the Parliament*) *of all free-born humours.*

172. The Councel of State ſit in pomp at *White-hall.*

White-hall is now become the Palace of a *Hydra of Tyrants inſtead of one King*, where our *Hogens Mogens*, or *Councel of State* ſit in as much ſtate and ſplendour, with their Rooms as richly hanged (I wiſh they were ſo too) and furniſhed (if you will believe their licenced News-books) as any Lords States in *Europe*, yet many of theſe *Muſhromes of Majeſty were but Mechanicks*, Gold-ſmiths, Brewers, Weavers, Cloathiers, Brewers Clerks, &c. whom ſcornful Fortune in a ſpiteful merriment brought upon the Stage, and promoted to act the parts of Kings (to ſhew that Men are but her Tennis-balls) and when ſhe is weary with laughing at their diſguiſes, will turn them into *the Tyring Room out of their borrowed caſes*, and ſhew us that our *Lions* are but her *Aſſes*. The Kings poor Creditors and Servants may gape long enough (like Camelions) to ſee the aforeſaid Ordinance executed, *for ſale of the Kings Goods to pay their Debts*; they (poor Souls) are left to ſtarve while theſe Saints Triumphant revel in their Maſters Goods and Houſes.

173. A general ſurvey to be taken of the whole Kingdome, that every mans Eſtate both real and perſonal may be taxed.

Orders about this time were ſent forth into *London* and the Counties adjacent *for certain Committees to enquire upon Oath, and certifie the improved value and revenue of every mans eſtate real and perſonal*, wherein good progreſs hath been made already; the like is to go forth throughout the Kingdome. That our forty mechanick Kings now ſitting in *White-hall*, and the ſelf-created ſupreme Authority of the Nation, may take an exact ſurvey (in imitation of *William the Conquerors* Book of *Survey*, called *Domes-day*, remaining in the *Exchequer*) of their new conquered Kingdome, and know what they are like to get by their villanies, and how to load us with Taxes and Free-quarter, and what the value of their Eſtates are when they have compleated their Deſign *of Sequeſtring the Preſbyterians, as they have done the Royaliſts.*

The

The faction in the Houſe are, this beginning of *June*, 1649. 174.
itting abroad upon an Act *to enable Committees to give oaths in* An Act ena-
me caſes; and yet the *Houſe of Commons never had* nor pretended bling Com-
o have *power to give Oaths* themſelves (though every Court mittees to
of *Py-powders* hath) becauſe the *Houſe of Commons is no Court of* give Oaths.
Judicature, but only the *Grand Inqueſt of the Kingdom to preſent to the King the grievance and the neceſſities of the people by way of humble Petition*; as appears by the Law-books and Statutes: and therefore the Commons can grant no more than they have themſelves. But now the remaining faction of the Houſe have voted themſelves to be *the Supream Authority of the Nation*, and have a Sword to maintain it, they and we muſt be what they pleaſe; yet I muſt affirm, that to take *illegal Oaths* is never juſtifiable before God nor man, and no leſs than damnable. But it may be) that by accuſtoming the people to take theſe new-impoſed, illegall Oaths, they hope to make them the more eaſily ſwallow their intended *new Oath of Allegiance* to their *new State* and their own Damnation together hereafter.

All the Scrivenors about the Town are commanded by the 175.
Supreme thing *to produce their Shop-books*, that notice may be Scrivenors
taken who are guilty of having money in their purſes, that the commanded
fatteſt and fulleſt may be culled out, and ſequeſtred for Delin- to ſhew ſhop
quents, now that their almighty Saint-ſhips have occaſion to books.
uſe it for defence of their Free-State, if they would but ſearch one anothers private pockets they would find money enough. The like attempt (only) in the Kings time was tryed out upon as a high peice of tyranny, but nothing can be tyranny under a Free-State: The Supream Authority being ſo full a Repreſentative-glaſs of the people, that it takes our very ſubſtance into it ſelf, and leaves us only the ſhadow, whilſt we wander up and down like our own Ghoſts, who having lived under the Monarchy of Good *King* CHARLES, are now dead and deſcended like ſhades into the Kingdom of *Pluto*.

The 7. *June*, 1649. the Thankſgiving (ſpoken of Sect. 172.) was 176.
ſolemnized in the City: The Lord Mayor meeting the Speaker, The aforeſaid
reſigned to him (as formerly was uſed to the King) the Sword Thankſgiving
of State (as had been ordered by the Houſe the day before) and ſolemnized.
received it again from him; and then the Mayor conducted

them all to *Chriſt-Church*, where the Commons, Council of State, General, and his Officers, together with the Mayor, Aldermen, and Common Council, &c. mocked God with their Devotions, where Mr. *Tho. Goodwin*, and Mr. *Owen* preached out of the Politicks to them: from thence they were conducted to a great Dinner at *Grocers-hall*, and entertained in the quality of a *Free-State*, no man being admitted without delivering his Ticket They were all ſtrongly guarded with Souldiers, and every Cook had an Oath given to be true to them, which ſhewed they had more of fear and guilt than of confidence and innocency within them. Great preſents of Plate given to his Excellency *Fairfax* and to his Super-excellency *Cromwell*, and to others, fit to be chronicled in *Stows*, and *Hollinſheads* Volumes, amongſt other ſolemn Fooleries; let it not be omitted that *Hugh Peters* and many other Saints were too full of the Creature (*anglice*) Drunk.

177. A neceſſary advertiſement to all honeſt Presbyterians See K. *Charls* the firſt his Book [*The Portraicture of his Majeſty in his ſolitudes & ſufferings*] Some over-haſtily expect the King ſhould ſatisfie the Presbyterians by his Declaration; but the height of the Independents malice and their guilty feares are ſuch as may endanger the drawing on a Maſſacre upon them by ſuch a courſe.

I am to give a neceſſary advertiſement to all men, that though the young *King* ſhews much reſpect, and a deſire of reconcilement (according to his dead Fathers never dying precepts) to all moderate men and Presbyterians that make Addreſſes to Him, yet it is complained of by ſome (who look not into the undermining practiſes of our new Statiſts) that ſome few of his Counſellors and Followers are as violent againſt the more moderate and honeſt Presbyterians, as againſt the Independents who murdered his Father; but theſe zealous Royaliſts are either ſome paſſionate light brain'd men of little diſcretion and leſſe power with him, or elſe ſome falſe hearted Penſioners to our new State, and ſuch as have under-hand an indemnity for their own Eſtates in *England*, who ſtand like Scar-crows about His Majeſty, to fright away ſuch as return to their Loyalty, and render their due Allegiance to him, thereby to weaken the hands of his Majeſty, and cut off the hopes of this Nation from depending upon him, who as our undoubted Sovereign (both by the Laws of God and the Land) and Gods Vice-gerent in his three Kingdoms, onely can and will (if we forſake not him and our ſelves) free and protect us from the many-headed, miſerable, arbitrary tyranny we now ſtarve and bleed under: and reſtore unto us again our Religion, Laws and Liberties, our Wives, Children, and Eſtates, Trading, Husbandry, peace and plenty now held

held in more than Ægyptian bondage, by our cruel bloudy, and thieviſh-Task-maſters; *Remember his deceaſed Majeſties gracious Meſſages* frequently ſent for peace and reconcilement; *Remember his Conceſſions* to his Parliament upon the laſt Treaty; (more than ever any King granted to his people.) *Remember His pious meek and Chriſtian Martyrdome* ſuffered for His People, which bitter Cup had paſſed from Him if He would have built up and eſtabliſhed this *Babel* of Tyranny now inſulting over us, and have turned our well-mixed Monarchy into an Olygarchical legal Tyranny, by adding his Royal aſſent to their wicked Demands, tendered to him but two dayes before his Tranſlation from this valley of Tears. *Remember his Poſthumus Book to his Son, full of Precepts*, ſavouring meerly of piety, Chriſtian wiſdom, Charity, and forgiveneſs to his very Enemies; and then judge whether our late King, or our uſurping Kinglings (now ſcratching and tearing us, making one war beget another, perpetuating an Army, and domineering over us by the power of the Sword) were the natural Parent, whoſe bowels yearned upon this (now) Orphan Child, the Engliſh Nation dying and expiring under this new Corporation of Tyrants (the putative Parent) which overlayed it? He that ackowledged allegiance to the Father, cannot deny it to his Son, as having *ſworn to bear faith and true Allegiance to the King his Father, and to his lawfull heirs and Succeſſors*; which our uſurping *Hogens Mogens* cannot pretend to be: ſo that as well for duty and conſcience to God and their own ſouls, as for a neceſſary and juſt protection of their lives and eſtates, all honeſt and wiſe men ought to caſt themſelves into the Arms of his Dread Majeſty our preſent King, as the only Sanctuary of their Salvation, and not ſuffer themſelves to be ſo far miſ-led by vain reports, as to be more fraid of their cure than their diſeaſe.

See a Book, entituled, *His Majeſties gracious Meſſages for peace.* Mr. *Pryns* Speech, 5. *Dec.* 1648. in the Houſe. And the ſecured Members Reply to the Council of War.

1 Kſng. 3.

Oath of Allegiance, and Stat. of Recognition, 1 *Jacobi.*

Stultorum incurata pudor malus ulcera celat.

Solomon hath ſhewed you out the Cabinet of Nature the difference between a Natural Mother and a Step-mother; and that you may ſee the difference between a natural King, correcting his own people with fatherly compaſſion for examples ſake; and a Uſurper, wounding, killing and robbing (thoſe which are none

Dictum de Kennelworth.

of

of his own) his fellow-ſervants for his luſt and lucre ſake, I will ſet down a ſhort abridgement of our own famous *Dictum de Kenelworth*, and firſt the occaſion thereof which was thus:

Simon de Montford, Earl of *Leiceſter*, conſpiring with many other great men, rebelled againſt *Henry* 3. pretending (after the manner of all Rebels) *Reformation of publick Grievances*. He overthrew the King in battel, took Him and his Son Prince *Edward* Priſoners; the Prince after a while eſcaped out of Priſon, raiſed an Army, overthrew and ſlew in the Battel of *Eveſham Simon Montford*, ſubdued the whole Party, reſcued and re-inthroned his Father. Commiſſions were ſent forth to prevent future troubles, & ſettle mens minds grown deſperat with fear what horid puniſhments ſo horrible a Rebellion would bring upon them: The reſult of all is contained in the ſaid *Dictum de Kennelworth*, as I find it in *Magna Charta veteri, fol.* 60. *part.* 2. obſerve the moderation of it; No man bled to death for it but in the field; the blood of war was not ſhed in time of peace; the King did not ſlay thoſe whom he had taken with his Sword, and with his Bow, but reaſonably fined them, not unto deſtruction: though the known Laws called them *Traytors*, and put them into his power for life, lands and goods; they were but once puniſhed, not always tormented and kept upon the rack, after the late cuſtom of our fellow-Servants and Subjects; who will never ſuffer the partition-wall between us to be thrown down, *England* once more to become one Nation, and one people; and our broken bones to be again ſet and knit together.

See the late Hiſtory of the Marqueſs of *Montroß*, what gentle uſe he made of his victory after he had ſubdued the ſtrength of *Scotland*, at the Battel of *Kyliſythe*.

Dictum

Dictum de Kennelworth.

None to be Diſ-inherited, but onely fined: As namely, Thoſe.

1. *That began and continued in War.* 2. *That held* Northampton *againſt the King.* 3. *That fought againſt him at* Lewis, Eveſham, Cheſterfeild. 4. *That were taken at* Kenilworth. 5. *That ſacked* Wincheſter, *being yet unpardoned.* 6. *That voluntarily ſent againſt him, or the Prince.* 7. *The Officers of the Earl of* Leiceſters *who moleſted their* Neighbours *with Rapine, Fire, Murder, or otherwiſe, to pay in three years five years value, and half their eſtates of Land. If they ſell it, ſuch as are by the Kings grant poſſeſſed of them to have them, giving as any other, &c. and ſo if it be to be Let, thoſe who pay the whole to have all inſtantly, and that pay half, to have half: If in three years the whole be unpaid, the land to be divided between him that ows it, and him to whom the King hath given it. If any have Woods by ſale of which he would pay his Fine, the money to be paid by two, of which either ſide to chuſe one.*

2. *Knights and Eſquires, who during the War have enriched themſelves by Rapine, having no Land, to pay half their goods, and be bound with Sureties to the peace; if no goods be acquitted by Oath,* exceptis bannitis quibus ſolus, Rex poteſt remittere.

3. *Lords of Wards to pay for them, and be anſwered by their Wards when they come to age; which if they accept not, the Wardſhip to accrue to ſuch as the King hath given the Ranſome to, and they to be ſo anſwered.*

4. *The*

4. *The Kings Wards to remain where they are placed, and be Ranſomed as others; but without deſtruction.*

5. *Such as were with the King before the battel of* Lewis, *and ſince are Diſ-inherited. His Majeſty to declare his pleaſure touching them.*

6. *No man poſſeſt of Wood to ſell any, but onely for repair, till the laſt day of payment be paſſed, and not obſerved.*

7. *The King and the Popes Legate to ſend beyond ſea for a time ſuch as are likely to trouble the peace of the Kingdome, which if it hindred the paying of their Ranſome, not for that to be Diſ-inherited.*

8. *Such as were grieved with this Agreement might appeal to the Kings Court before S.* Hilary, *and ſuch as were beyond ſea to have* inducias tranſmarinas.

9. *Becauſe the King was to reward many and ſome had too much, the King out of the Fines to provide for them.*

10. *The Legate, King, and* Henry d'Almain *to Elect twelve who ſhould cauſe theſe Articles to be executed, and to ſee performed what they ordain according to the eſtimates already taken, or if not, to have new rates taken reaſonable and true.*

11. *Tenents that were againſt the King to loſe their Leaſes; but at the expiration of their time the Land to retorn to the true owner.*

12. *Forts*

12. *Forts built by the aſſent of the King, but without that of the Perſon diſ-inherited, after the Fine paid in three years, to pay the coſts of building of it in ſix years, or receive a reaſonable exchange in Land.*

13. *Such of the Lay as apparently drew any to the part of the Earl of* Leiceſter *to pay two years Revenue.*

14. *The Buyers of other mens goods wittingly, to reſtore the value of that they have bought, and be at the Kings mercy, becauſe that they did was againſt juſtice.*

15. *Thoſe that at the Earls command entred* Northampton, *yet fought not, but entred the Church.*

16. *Such as held not of the Earl, yet at his command entred to the action with him to pay half one years Revenue.*

17. *Such as held of the Earl to be only at the Kings mercy.*

18. *Impotent perſons, and ſuch as did nothing to be reſtored to their Poſſeſſions, and by juſtice recover their damages, their Accuſers puniſhed by Law. yet without loſs of life or limb.*

19. *Maliciouſly accuſed to have their Eſtates immediately reſtored.*

20. *Women to have their own Lands, and what they had of their firſt Husbands; if their late Husbands were againſt the King to be reſtored according to Law, or Fined.*

21. *None to be fined but ſuch as were againſt the King.*

22. *Such as have been pardoned to remain ſo.*

23. *Thoſe that are fined to anſwer no Loſs done to any, but all damages to be remitted on every ſide; except thoſe that intermedled not, and of the Church, whoſe actions are ſaved.*

24. *The King by reaſonable Exchange to receive the Caſtles of* Erdſley-Biſhop, *and* Chartley, *it ſeeming dangerous to leave Forts in their hands who have carried themſelves ill towards the King.*

25. *Thoſe that in the future ſhall commit any outrages to be puniſhed by Law.*

26. *An Oath to be taken where it ſhall be held convenient, not to purſue each other with revenge; and if any ſhall attempt the contrary, to be puniſhed according to Law.*

27. *The Church to be ſatisfied by thoſe that injured it.*

28. *Such of the Diſ-inherited as refuſe this Compoſition to have no Title to their Eſtates, and to be eſteemed publick Enemies to the King and Kingdome.*

29. *Priſoners to be freed by the advice of the King and Legate.*

30. *No Perſon to be Diſ-inherited by reaſon of theſe Troubles by any to whom he ought to Succeed.*

You

You ſee what great care was here taken to prevent ſpoyl and waſt of Woods, &c. whereas in this latter Age the firſt thing aken into conſideration, is, how to raiſe ready money by deruction of Woods, Houſing, and ſelling of the Stock, to lay the Lands waſte, and decay Husbandry to the endangering of a Famine for the preſent, and the diſ-inheriting our innocent Poerity for the future; ſo little care is taken to keep that well hich is ſo ill and illegally gotten. And how much regard was ad to preſerve innocent Perſons from ſuffering wrong in any ıſt claim or Title they could make to any Land poſſeſſed by auilty Perſon; whether they claimed by Dower, Joynture, Title, r Eſtate in Reverſion, or remainder, or otherwiſe: I wiſh the ke juſtice were now obſerved.

178. The loſſe of ſhips at *Kingſale* ſuppreſſed and miſreported in the Houſe, and why?

Monday night, 4. *June*, 1649. that third part of a Lord Admiral, Col. *Edw. Popham* came to *Weſtminſter*, and preſently made his Addreſſes to the high and mighty Eſtates in *White-hall*, giving hem a diſmal relation of his ill ſucceſs in tampering with the Governor of *Kingſale* in *Ireland*, who (proving honeſter than he Saints expected) took a ſum of money of him to betray he Town, Forts, and Ships in the Road: But when *Popham* ame in to the Haven to take poſſeſſion of his new purchaſe, ave him ſuch a Gunpowder welcome, that he loſt moſt of his len, landed to take livery and ſeiſin, and divers Ships; he was ommanded to conceal this ill news, leſt it diſcouraged the ity to engage ſo far with them, as to entertain them in the ondition of a Free-State, and ſurrender the Sword to them, and o ſpoil the Deſign of their Thankſgiving Devotions and Dinner to be celebrated together in, and with the City upon Thurſay enſuing the 7. of *June*; and leſt it ſhould diſhearten more ecluded Members from comming to ſit in the Houſe with them gain, knowing, *That Tyrants are followed for their fortunes, nor or themſelves*; wherefore upon Tueſday following (being the . *June*) *Popham* made another kind of Report to the Plebeians f the Commons Houſe (who muſt not be truſted with the truth f State-myſteries, but (like Wood-coks) muſt be led in a miſt) *hat he had left* Kingſale *blocked up with ten Ships, and the Seas ſeured in peace and quietneſs*; and the better to adorn the fable, nd ſuppreſs the truth from approaching the ears of the people,

the Houſe that day (15. *June*) paſſed an Order, *That for this remarkable additional mercy beſtowed upon them in the proſperous ſucceſs given to their Fleet at Sea, upon Thurſday next,* 7. June (*the day ſet apart for publick Thanksgiving*) *the Miniſters ſhould praiſe God.* Lord! ſince theſe audacious Saints are ſo thankful to thee for one beating, beſtow many more beatings upon them, for they ſtand in need of all thy corrections. The like attempt hath been upon *Scilly* with the like ſucceſs, ſince which time forty ſail of Ships are preſſed in the *Thames* to recruit the ſcattered Navy given forth *to be a Winter Guard at* Midſummer.

Scout, from *June* the 8. to 15. 1649. 179.

John Blackiſton is packed away to the other world; and the Houſe upon 6. *June*, Voted to his Wife and Children 3000l. out of the Earle of *Newcaſtle's*, and Lord *Withrington's* Eſtates, in compenſation of the loſſe of his Pedlery Ware, in his Shop at *Newcaſtle*; he had formerly given to him 14000l. you ſee the inſatiate hunger of Gold and Silver ſurvives in the very Ghoſt of a Saint after he is dead: 500l. more was given to *Johns* Brother; an Eſtate out of the Rectory and demeſnes of *Burford* was ſetled upon the Speaker. 400l. *per ann.* Lands are to be ſetled upon the General out of the Duke of *Buckinghams* and his Brother the Lord *Francis Villers* Eſtates. 400l. *per ann.* out of *Claringdon Park* upon the Earle of *Pembroke*. 1000 l. was beſtowed upon an eminent Member of Parliament for his many good Services. 4868l. to the Lord *Liſle*, out of the Monthly Aſſeſment for *Ireland*, for his penny-worth of good ſervice done there; you ſee to what purpoſe we pay Taxes. 2000l. Land *per ann.* and 1000l. Money given to *Bradſhaw*, the price of Blood. And 400l. more given to the Poor of the City (to ſtop their mouths from curſing upon the Thankſgiving-day) out of the 10000l. Fine ſet upon the Lord Mayor *Reynoldſon for not proclaiming the Act for aboliſhing Kingly Government*; This is (according to the Spaniſh Proverb) *To ſteal a Sheep, and give away the Trotters for Gods ſake.* You ſee the Saints can find money to give Gifts, though not to pay Debts; although the Publick Faith lie at pawn for them. A Committee is appointed to conſider how to prefer Mr. *Tho. Goodwin* and Mr. *Owen* to be Heads of Colledges in *Oxford* as a Reward for aſſerting the late proceedings of Parliament upon the aforeſaid Thankſgiving-day. It is not fit ſuch men ſhould

Gifts given amongſt the Faction.

ſerve

ſerve God for nothing: in the times of S. *Peter* and S. *Paul*, *Godlineſs was great Gain*; but in the days of our modern Saints *Gain is great Godlineſs.*

The thing that miſcalls it ſelf a *Parliament*, hath ſet an Exciſe of 1d. the Gallon upon all forraign ſalt imported; which is, in effect upon all the ſalt we uſe, (our home-made ſalt being inconſiderable) you ſee our Cups, our Spits, our powdring-Tubs our waſhing-bowles, our Kettles, our Hats, Dublets, Breeches, Stockings, Shoes; nothing we uſe, eat, drink or wear, is free from being devoured by theſe ſanctified Locuſts of the Free-State, who complained of the King for that petty inconſiderable Tax of *Ship-money*, which His Majeſty ſpent in maintaining Guards of Ships upon our Seas, ſo much to the Honor of our Nation, that the King of *Spain* truſted all thoſe vaſt ſumms of Bullion he ſent to the *Low-Countries* to be Coyned in our Mint, and above a third part yearly to be laid out here in Engliſh Cloth and Commodities, which with the reſidue of the Spaniſh Treaſure was afterwards wafted over into *Flaunders* in Engliſh Bottoms, for which they were liberally payed; whereby every mans Eſtate was increaſed 10l. in the hundred, *England* infinitely abounded with Coyn and Plate, as appears by thoſe many vaſt ſums that have been conſtantly extorted from the People ſince the beginning of theſe Wars; more I dare ſay, than all our Kings ſince the Conqueſt, (excluding *William the Conqueror* and *Henry the Eighth*) ever raiſed upon the People; and by thoſe many vaſt ſums our ſeeming Saints have ſent into banks beyond Sea, and buried in their private Coffers.

180. The Exciſe enlarged upon Salt.

Reader, let me admoniſh thee, That the Levellers, for ſo they are miſ-called, onely for endeavouring to Level the exorbitant uſurpations of the Council of Officers and Council of State) are much abuſed by ſome books lately printed and publiſhed in their names, much differing from their declared Principles, Tenets, and practiſes; but forged in *Cromwels* and *Iretons* ſhops to caſt an *odium* upon them. Theſe State-wolves by ſuch forgeries endeavour to make the Sheep forſake and betray the Dogs that faithfully guard them; that they may with more ſecurity fleece them, ſlay them, and eat them hereafter. *Ireton*, *Haſlerig*, and Poſtmaſter-Attorney *Prideaux*, by themſelves and their Blood-

181. A Vindication of the Levellers in ſome things; and further deſigns to gamble and enſlave the Army.

Blood-hounds (Spies and Intelligencers) have been very diligent to draw dry-foot after Mr. *Lilburn*, *Walwin*, &c. and ſubborn witneſſes againſt them, but (not having yet quite extinguiſhed all ſparks of truth and honeſty, unleſs it be in their own breaſts) failed of their purpoſes. Yet they go on to purge the Army (as they have done the Parliament and Conventicle of State) of all free-born humors (in order to their deſtruction) that the Army may conſiſt of meer mercinary brutiſh Spirits, ſuch as will ſo far neglect the duties of men and Chriſtians, as to execute all their tyrannous, bloody, illegal Commands, with a blind obedience and implicit faith, without asking a queſtion for Conſcience ſake, the better to enſlave both the Kingdom and Common Souldiers. In farther proſecution of this deſign, they have projected to levy ſeven new Regiments, which (by way of Gullery) they call *Presbyterian Regiments*, and ſhall be raiſed by Presbyterian Commanders, but thoſe Commanders ſhall only be imployed to countenance the work for a time, and then for pretended offences be purged out of the Army, if not out of this world, by the Council of Officers, and more confiding men put in their rooms: and then ſhall theſe new Officers and Regiments be uſed as Catch-poles and Hangmen (contrary to the honor of Souldiers) to perſecute and execute ſuch Members of the Army as retain any ſenſe or memory of their old Engagements and Principles.

* 182. The pretended Parliaments Councel of State and Officers confederated with *Oneal*. See *an After-game at Iriſh, &c.* 1649. and the Propoſitions printed at *Cork*, and reprinted at *London*. From *June* 6. 1649. to *June* 8. 1649.

*I formerly told you of an underhand combination between the domineering Independent party here, and *Owen Roe Oneal*; which is now openly declared and avowed by their own licenſed News-books. *Owen Roe* and Colonel *Monk* are joyned (ſaith the *modeſt Narrative*) our party have permitted 300 of *Oneals* own Regiment to quarter in our parts amongſt the *Creats* within two miles of *Dundalke*, (ſaith the *Scout*) *Owen Roe* and *Berne* are come towards Col. *Jones*, and Col. *Monks* Quarters, he is ſo fair as to pay Contribution: his Quarters are to the Scots ſide of *Dublin*, to prevent their giving aid to *Ormond* in his attempt upon *Dublin*: who can blame neceſſity? nor do our Grandees now deny this confederacy with the bloody Popiſh maſſacring Rebels, although they had the impudence to make the only ſuppoſition thereof one of the principal Charges againſt

Moderate Intelligencer, from *June* 7. to 14. 1649. num. 221.

againſt the late King; and to raiſe a great out-cry againſt the Marqueſs of *Ormond* and Lord *Inchiquine* for their conjunction with *Preſton*; yet they joyned but to prevent the *Cromwelliſts* who offered to aſſociate with him upon conditions much more prejudicial to the Proteſtant Religion, and Engliſh Intereſts than *Ormond* hath given them. They have offered this *Oneal* all the Lands in *Ulſter* forfeited by his Grand-father *Tyrone* *Shane Oneale*, and others attainted, thereby deſtroying the Britiſh Planters there; and this is the reaſon they imploy ſo few old Iriſh Commanders into thoſe parts, leſt the *Oneals* ſhould doubt they came to recover their own lands again. But our Atheiſtical Saints account themſelves looſe when other men are bound nothing but halter can hold them; all obligations to men, all duties and vows to God, they break upon *pretended neceſſity, and honeſt intentions.* Their Metropolitan Nuntio, *Judas Haclet*, tells you, *Their Party will not joyn with the bloody Iriſh, until they are brought to ſuch a pinch, as to ſay,*

See the Counſel of Wars Anſwer concerning the ſecured and ſecluded Members, from 6. *June* to 13. num. 3.

Flectere ſi nequeo ſuperos, Acheronta movebo.

If God will not be the Author and Patron of their Deſigns, the Devil ſhall; you ſee theſe Independents hang between God and the Devil, *Michael* and the Dragon, not reſolved which part to take.

183. *Parker* the Obſervator.

Be it known unto all men by theſe preſents, that *Harry Parker* the Obſervator is returned from *Hamborough*, and highly preferred to be Brewers Clerk, (*alias* Secretary) to *Cromwel*; to whoſe Deſigns he hath proſtituted his pen.

Melton's Book *the Tenure of Kings and Magiſtrates, &c.*

There is lately come forth a book of *John Meltons* (a Libertine, that thinketh his wife a Manacle, and his very Garters to be Shackles and Fetters to him; one that (after the Independent faſhion) will be tied to no obligation to God or man) wherein he undertaketh to prove, *That it is lawful for any that have power to call to account, Depoſe, and put to Death wicked Kings, and Tyrants (after due conviction) if the ordinary Magiſtrate neglect it.* I hope then it is lawful to put to death wicked *Cromwels*, Councels of State, corrupt Factions in Parliament; for I know no prerogative that uſurpation can beſtow upon them. He likewiſe aſſerteth,

aſſerteth, *That thoſe who of late, ſo much blame Depoſing, are the men that did it themſelves* (meaning the Presbyterians.) I ſhal invite ſome man of more leiſure and abilities than my ſelf, to anſwer theſe two Paradoxes; but ſhall firſt give him theſe cautions:

1. That for the Polemick part he turn all his Arguments into Syllogiſmes, and then he will finde them to be all Fallacies, the froth of wit and fancy, not the Dictates of true and ſolid Reaſon.

2. That for the hiſtorical or narrative part, he would throughly examine them, and he will find few of them conſonant to the plumb-line of truth.

3. That he would conſider, that from the beginning of this Parliament there were three Parties or Factions in it:

1. The *Royaliſts*,
2. The *Presbyterians*,
3. The *Independents*.

For though they were not then notorious by their name, yet the Perſons confederated were then extant and active, being a complication of all *Antimonarchical*, *Anarchical hereſies and ſchiſmes*, *Anabaptiſts*, *Brownifts*, *Barrowiſts*, *Adamites*, *Familiſts*, *Libertines* of all ſorts; the true Heirs and Succeſſors of *John* of *Leyden*, and *Knipperdolling* in all their principles and practices united under the general Title of *Independent*; and theſe were originally the men that by their cloſe inſinuations, ſolicitations and actings began, and carried on the War againſt the *KING*, with an intent (from the beginning) *to pull down Monarchy and ſet up Anarchy*, notwithſtanding the many *Declarations*, *Remonſtrances*, abortive *Treaties*, *Proteſtations* and *Covenants to the contrary*, which were Obligations (from time to time) extorted from them by the *Presbyterians*, although not ſtrong enough to hold ſuch ſubtle *Sampſons*, whoſe ſtrengths to break ſuch Withes lay not in their Buſhes of Hair, but in the Ambuſhes of their Hearts, wherin there always lay hid ſome evaſion, equivocation, or mental reſervation, which like a back-door, gave them leave to make an eſcape. In the beginning almoſt of this Parl. the *Independents* (that is, the *Schiſmaticks*) in the Parliament inſiſted openly upon it, *to have the Papiſts in* Ireland *rooted out, and their Lands ſold to Adven-*

See *the Myſtery of the two Junto's, Presbyterian and Independent.*

Adventurers, and *paſſing an Act* to that purpoſe, neceſſitated the *Iriſh Papiſts* to *maſſacre* the *Engliſh Proteſtants*, which was purpoſely done by the *Independents*, that both *Papiſts* and *Proteſtants* might deſtroy one another there, that they might the better ſubvert Proteſtants in *England*, which is now in hand. And though it be true that the firſt General, the Earl of *Eſſex* was a *Presbyterian*, yet he was acted by *Independents*, as the *L. Say* and others of the like ſtamp; and had a clauſe in his Commiſſion [*to forbear the* Kings *Perſon*] which clauſe upon the *Independents* new modeling the Army under *Fairfax* was omitted at their eſpecial inſtance.

Monday 18. *June*, 1649. came forth that moſt uſeful Book of *John Lilburns*, called [*The Legal fundamental Liberties of the People of* England *Revived, &c.*] wherein he excellently well ſets forth *the new uſurped tyranny of that Hidra of* Nimrods *now ſubverting our Laws, Liberties, and Property, conſuming us with illegal Taxes, Exciſe, Free-quarter, Monopolies, and ſharing Land Money, Goods, and Offices amongſt themſelves, perpetuating an Army to enſlave us, and overthrow the fundamental Government of this Nation*, in order to which *they have complied with, and cheated all Intereſts, broken all their Obligations to God and Man, violated all the Laws of this Land, their own Proteſtations, Covenants, the Oaths of Allegiance, Supremacy* (which themſelves cauſed the people to take) *and their own Votes, Declarations, &c. The illegality of their late erected High Court of Juſtice, and their unjuſt proceedings therein, the tyranny and uſurpation of the Council of State and Officers of the Army.* And proveth that *Col.* Prides *new purged, new packed Houſe, is neither a Houſe of Commons, nor Parliament; their uſurped Supreme Authority to be a meer nullity or fiction*, and eſpecially, *That this Parliament is clearly diſſolved and ended*, which he proveth *by the Death of the King*, and by many other ſolid Arguments; *and therefore all their actings to be void and null*, with many other conſiderable paſſages, where he ingeniouſly confeſſeth, *that being the Kings Priſoner at* Oxford, *with many other of the Parliament Party, the King did ſtrictly obſerve the Laws of the Land in His proceedings againſt them, which this Parliament doth not do in any their moſt legall proceedings, for all their pretended Engagements, Declarations, Votes, Proteſtations and*

1649. L.C. *Lilburns* Book [The Legal fundamental Liberties of the People, &c.]

Covenants to maintain and defend the Laws and Liberties of the People, Ergo, the King *really*, the Faction in parliament, but *pretendedly fought for our Laws and Liberties.*

186. Tythes to be sequestred for the State.

The Faction are now contriving *to seize all the Tythes of the Kingdom into their own hands* (yet they are the Ministers Freehold) *and to make all the Ministers their stipendiary Lecturers*, that they may *preach and teach* only such Doctrine to the people as may bring them under a blind and slavish obedience to our *forty Tyrants of the new Council of State*; presuming that all our Ministers carry their consciences in their purses, because the *Independents* do so. Look to your ways Christian Brethren, you are likely hereafter to have *Oracles of State* obtruded upon you instead of the *Oracles of God*. If the Ministers will not parre forth the new States Doctrine to you, they shall be starved out of their Pulpits.

187. An Adjournment of this pretended Parliament considered of.

The thing called a Parliament is now likely to have to gener-al a purge as will leave neither life nor soul, dung, nor guts in the belly of it. K. *Oliver* (unwilling to go for *Ireland*, and leave them sitting, who may unvote all he hath compelled them to vote) hath commanded his Journey-men to think of an *Adjournment* for some good time, that they may take the air, and grow wholsome again; and then (without some dire mischance) they never meet more; but *this Supreme thing* hath learned to use so much modesty to *their Superiors*, as to refer it to the *Hogen Mogens*, or *Councell of State*, to *consider what Votes and Acts they shall passe beforehand for establishing their Highnesses in their new Dominion*: And when (out of their usurped *Supreme Authority*) they have conferred as much upon *the Council of State* as their ambitions aim at, they (good boys) shall have leave to break up School and go into the Country to *see their Friends and visit their Foes*; that is all such as have full purses to be squeezed. Thus you see the *method of Divine vengeance observes a Degradation*; 1. *Down went the King*, and his Authority lapsed into the two Houses. 2. *Down went the Peers House*, and all Authority fell down into the Commons House. 3. *Down goes the House of Commons*, and the *Supreme Authority* translates it self into a *Council of State*. And (if my conjecture fail me not) 4. *Down will go the Council of State, and all Authority be grasped into the iron*

iron hands of Campſon Gaurus *and his Mamalucky, his Councel of War*, when they ſhall think fit to Act bare-faced without uſing a packt peece of a *Parliament* or *Councel* of *State* as a Screen or Vizard to cozen and befool the people.

In order to which *Government by the Sword*, *Cromwel* is voted *to go into* Ireland *with his own confiding Officers and Army, with all power Civil and Military for three years*; what doth this import leſs than that he is to be K. of *Ireland?* there to practiſe the firſt rudiments of Kings-craft, and when he hath inured thoſe Semi-barbarians to a *Military Government*, he ſhall return with his *Janiſaries*, and ſubdue the *Engliſh* to the like obedience: In the mean time *his property Fairfax* ſhall be under the obſervation of the *Councel of State* here, and be beleagured both in his own houſe and Army with *Olivers* Creatures; and in this diſhonourable fickle condition he ſhall have the vain honour to keep *Olivers Regalia* (the Crown ſitting upon one ſide like a Fools Cap upon his head) untill he return, and ſhall then be called to account for all odious and unfortunate accidents that ſhall happen (for it is not for the Majeſty of *Oliver* to bear the blame, although they fall out by *Cromwell's* own overſight, or Gods anger upon him) thus *Cromwell's* ſhadow being removed, himſelf may take ſubſtantial and actual poſſeſſion of the Throne which he already enjoyes in all things but the *Title*. And then let all true Saints and Subjects cry out with me, *God ſave K. Oliver, and his brewing Veſſels.* 188. *Cromwel* voted for *Ireland* with full power Civil and Military

The *Junto* of *Titular Supremiſts* at *Weſtminſter* (eſpecially ſo many as have not packt themſelves into the *Councel of State*) are very unwilling to quit their long-held Dominion, and ſubmit to their own Baſtard-brood, *The Lords States at White-hall*; but there is no remedy; *Oliver* is reſolved to unyoke his Cattel and turn them to graſs; he knows they may unvote all they have voted at his Command, (if during his abſence in *Ireland* or *Scotland* rather) a new emergent power ſhould overawe them; the preſent fear being alwayes moſt terrible to Cowards. But the *Councel of State* hath ſet them their Task, which they muſt ſpeedily perform before they Adjourn, conſiſting of 13 Points: 189. 13 Bills injoyned to be paſſed by the Commons before Adjournment.

1. *That all Acts concerning the Loans of Monies, Exciſe, Sequeſtrations. Goldſmiths-hall. Haberdaſhers-hall, Aſſeſſments for* Eng-

land *and* Ireland *be paſſed.* Theſe reprobate Saints will ſooner forget their God, than their Mammon [Money.] You ſee they mean to perpetuate our burthens, as well as their own Army, and domineer over us with an arbitrary, military tyranny for ever.

2. *That an Act be paſſed for ſetling the Militia of the Nation.* This amounts to a *new-invented Commiſſion of Array* (lawful for uſurping Saints, though not for a lawful King) by vertue of which the *ſcum and dregs of the people* (baſe enough to aſſociate with the Army) *ſhall be Armed*, & all men of quality and fortunes (unleſs ſuch as owe their fortunes to their crimes) diſ-armed.

3. *Againſt exporting Wooll and Fullers Earth.* Unleſs it be for the benefit of the Saints.

4. *To prohibit exportation of Gold and Silver.* The Saints have exported all our Gold already, and moſt of our Silver; and will never give over the Trade themſelves though they prohibit others. But Gold and Silver are drawn out of Mines Royal, and belong to the Saints by their Prerogative.

5. *An Act to be paſſed for puniſhment of Revolted Sea-men and Mariners.* None againſt traiterous, tyrannous, theeviſh Saints.

6. *An Act for relief of well-affected Tenants againſt Malignant Land-lords, who have compounded for their Eſtates, rack their Tenants Rents, or turn them out of doors.* This is a device: Firſt, to make work for ſuch Members as not being of the *Councel of State*, would become as contemptible as they are hateful, being deveſted of all power to play the Tyrant after Adjournment. And ſecondly, to ſtir up all the Tenants of *England* (eſpecially *Schiſmaticks*) to combine with them, againſt their Land-lords, and deprive them of the legal uſe of their Eſtates, and the benefit of their Compoſitions; for, to what purpoſe ſhall Gentlemen compound for their Eſtate, when they muſt *let* and *ſet* them at the diſcretion of domineering Committees, or Commiſſioners, conſpiring with the high Shoos, to oppreſs, make a prey of, enſlave and unſpirit all the Nobility and Gentry of *England*, here aimed at under the general Title of *Malignants?* Oh perfidious Tyrants! keep your money Gentlemen, or turn it into Iron and Gun-powder.

7. *An Act to ſuppreſs Malignant Pamphlets aſperſing the preſent pro-*

proceedings of the Parliament, Councel of State, and the Army, and prevent Printing as much as may be. This is to ſet truth in the Pillory, whilſt her counterfeit, impudent, lying and ſlandering ſits in ſtate in *Parliament, Councel of State, and Councel of Officers*, and rides triumphantly Coached into the City to Thankſgiving Devotions and Dinners.

8. *That the Pulpits being ſo ſcandalous in the Preſs againſt their proceedings, they enjoyn that a more ſtrict courſe be taken to ſtop the mouthes of the Preachers hereafter.* You ſee how *Ahab*-like theſe Subverters of Church and Common-wealth, accuſe our Prophets *for troubling our Iſrael* (being their own ſin) and ſeek occaſion to bring a *ſpiritual* as well as a *corporal famine* upon the Land, cutting off *the ſtaffe of bread* as well *from our ſouls as bodies*, by ſtopping the mouths of Gods Miniſters. But I hope they will remember the duty they owe to the honour of him that ſent them upon his Embaſſage to his people, and fearing God more than man, every man cry out to his own ſoul and conſcience with S. *Paul*, 1 Cor. 9. 16. *Væ mihi ſi non prædicavero, Woe be to me if I do not Preach.* 1 King. 18. 17.

9. *That an Act be paſſed that that clauſe of the Stat. 23. Eliz. 25. Eliz. 1 Jac. againſt Sectaries, ſhould be repealed, that none may be queſtioned thereby in the vacancy of Parl.* What is this but to pray in aid of Turks, Jews, Anabaptiſts of *Munſter*, nay the Devil himſelf to joyn with them, as they have already joyned with *Owen Roe Oneal*, and his bloody maſſacring Iriſh Papiſts againſt the Proteſtant Religion, which was part of the deſign of the Schiſmatical party in Parliament in waging war againſt the King from the beginning. See *Sect.* 148. the Marginal notes there. This impious Liberty of Conſcience to deſtroy the Proteſtant Religion, is all the liberty we are like to enjoy under the Kingdom of theſe bloody cheating Saints, in all things elſe we are meer and abſolute ſlaves.

10. *That an Act for a General Pardon be paſſed to all Perſons except ſuch as are particularly named therein, and declaring no Pardon to any that ſhall for the future raiſe War in this Nation againſt the preſent Authority thereof.* This is a project, 1. *To pardon themſelves and their Party* for their tranſcendent villanies, and to ſtop the mouthes of the Country from complaining of them after

their

their Adjournment, and this ſhall be effectually done. 2. *To befool ſilly weak-ſpirited people with general words of a Pardon* which ſhall be made ineffectual by many exceptions and limitations. 3. *This is principally intended to fright men from attempting any thing againſt the uſurped Supremacy and Tyranny of the Councel of State:* and therefore all Pardons to ſuch Attemptors are beforehand declared againſt. This with them is (as a ſin againſt the Holy Ghoſt) unpardonable; to deny their Supreme, Arbitrary Authority.

11. *That the Act for relief of poor Priſoners for Debt may be paſſed.* Though I can with as much Charity as any man wiſh a relief to them, yet *I like not that Charity ſhould be made a cloak to ambitious Knavery*, and all the Creditors of the Kingdome be made liable to the vexation of a covetous Committee, who, *under colour of Charity ſhall raiſe up all the indebted men of the Kingdome againſt all the monied men, if they will not ſacrifice their purſes to the Foh-Gods of the new State, and be bountiful to the Committee*; which is the full ſcope of this Propoſition.

12. *That the Souldiers may be ſecured their Arrears out of the late Kings Lands.* This is to tye all the Souldiery by the purſe-ſtrings (which is Saints Tenure) to make good that horrid, trayterous Murther.

13. *That an Act be paſſed for Probate of Wills, Granting Adminiſtrations, and inveſting of Miniſters preſented.* Theſe lunatick Saints ſhould have thought upon a new way to be ſet up before they throw down the old one, and not have left men in an uncertainty how to diſpoſe of their Eſtates, and a *Juſtitium*, a vacancy of Juſtice upon the Kingdom: you ſee what Mountebanks our new State-Juglers are. The good Boyes began to learn their Leſſons upon Monday, 25. *June.*

190. Things undertaken by the Councel of State during the Receſs.

The Councel of State likewiſe reported to their ſaid Free-ſchool of Commons *ſeveral things which they* (in order to their future greatneſs) *would put into a way during the Receſs*; againſt the Houſes next meeting, when two Sundays come together.

1. *That Commiſſioners be appointed in every County to make an eſtimate of all Tythes*, to the end they may be taken away for the future, and ſome other proviſion deſigned for Miniſters. *This is a Whip and a Bell to laſh Miniſters to preach State-Divinity.*

2. *That*

2. *That the Council of State conſider of ſetling future Parliaments, and the conſtant time of their calling, ſitting, and ending, after this Parliament ſhal think fit to diſſolve themſelves.* If they are not diſſolved already (which is the conſtant opinion of many great learned Lawyers well-affected to the Parl.) they will never be diſſolved without the help of a hangman. But I would gladly know by what Authority a Pack of forty Knaves calling themſelves *a Council of State*, and uſurping Regal power, ſhall take upon them to aboliſh our antient form of Parliaments, contrary to the fundamental Laws of the Land, their own Declarations, proteſtations and Covenants, and to pack and ſhuffle new Parliaments, to diſpoſe of our Religion, Laws, Liberties, Lives and Eſtates, againſt the conſent of the far major part of the people.

3. *That they ſhall conſider of an Act for regulating proceedings in Law, and prevent tediouſneſs of Suits.* There are too many Lawyers in the Council of State to do any thing effectual that way; but it may be they will conſider how to make the Laws of the Land more ſutable to an Olygarchical tyranny, and leſs agreeing with Monarchy.

4. *That they will conſider what Laws are fit to be repealed.* That is, all Laws enjoyning uniformity in Gods worſhip, all Monarchical Laws, and all Laws allowing more civil Liberty and Priviledges to the People, and to ſeveral Degrees of men than ſquares with the Deſigns of our new upſtart State.

191. Dean and Chapters Lands purchaſed by the Godly.

So many men have been cheated with publick Faith, Iriſh Adventures, and Biſhops Lands, that the Market is ſpoiled for ſale of Dean and Chapters Lands, wherefore the Saints (being the only monied men left in the Kingdome) have now agreed to buy them themſelves, conſidering that ſince they hold their Heads and all that they have *in Capite* of their Lords Paramount, *the Council of Officers* they may as well buy dog-cheap, and hold Deans Lands by the ſame Tenure. For which purpoſe they have their Broakers abroad to buy in Souldiers and Officers Debentures for Arrears at 5s. and 6s. in the pound, though they are allowed the whole ſumm of the Debentures in the purchaſe: which doubling in ready money, they purchaſe upon ſuch eaſy particulars, as brings it down from ten years purchaſe, to two or three years purchaſe. They are not ſeen in the buſineſs themſelves

ſelves, but buy them in other mens names, and to the ſecret uſe of their Wives and Children. The Lord *Munſon*, *Humphrey Edwards*, and Sir *Greg. Norton*, (who hath ſold his own Land to purchaſe new upon this Title) and many other Saints have lately trod this obſcure path.

192. Souldiers inſolencies remedileſs

Great Complaints are made by the Country of the Souldiers inſolency (amongſt many other things) in putting their Horſes into mowing Graſſe. The General hath ordered the next Officer in chief to cauſe double damages to be given by the Souldier; and if the ſaid Officer neglect, he is to anſwer it at a Council of War at the Head Quarters. This remedy is worſe than the diſeaſe, and as meer a gullery as the Act for taking off Free quarter. The chief Officer will laugh at the Complainant, the Head Quarters are far off, and the Council of War will tire him with delays, and expoſe him to more injuries of the angry Souldiers. The Officers will not, nor dare not keep a ſtrict diſcipline.

193. The Earl of *Denbigh* and *Henry Martin* referred to Committees.

The Earl of *Denbigh* referred to the Committee of the Revenue to conſider the Arrears of his Embaſſie in *Italy*, and of his 1000. Marks *per ann.* penſion beſtowed upon him by the late King. If his deſerts had been better, his Reward had been worſe, and worſe paid. Alſo *Henry Martins* Loſſes and Arrears referred to the conſideration of a Committee. If the Committee would know what *Harry* hath loſt, they muſt examine his Barber-Surgeon. *Rowland Wilſons* Arrears and Loſſes, and the L. *Gray's* Charges and Arrears to be conſidered and reported: you ſee charity begins at home, and the Members exerciſe it (for the moſt part) in their own Houſe.

194. The Council of State authorized to grant Letters of Marque.

June 25 An Act paſſed *to enable the Council of State with abſolute power to grant ſpecial and particular Letters of Marque or Repriſal in the name of the Keepers of the Liberties of* England *by Authority of Parliament*: what is this but to empower the Council of State to make war at Sea with all Princes and States at their diſcretion? they have already ſo far decayed all the Trade of this Nation, that ere long Traffick will be totally deſtroyed; whereby our Seamen with their Ships will be neceſſitated (for want of employment) to revolt to the *PRINCE*; to prevent which inconvenience, they will find work for them by granting

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ſo many particular Letters of Marque to all ſuch as ſhall but pretend themſelves wronged by Forraign Nations as will amount to a General practiſe and profeſſion of Pyracy, and turn *England* into a ſecond *Argires*, whereby all Princes and States will be provoked to make a Pyratical War upon *England*, as againſt a Den of Thieves and Robbers, Common Enemies to Traffick and humane Society: as the *Romans* did under the Conduct of *Pompey*, againſt the *Cilician*, and other Aſiatick Pyrats.

Captain *Tounge* hath blown up with Gun-powder a Ship of the Princes called the *Antilope*, lying at Anchor in *Helverſluce* under the Protection of the States of *Holland*; whereby the Chamber of *Holland*, and the honor of their Inland Sea is raviſhed from them. By this, and by ſome former actions of the like inſolency (as the firing upon their Ships, and killing their men for not ſtriking ſail to them) you may ſee what good Neighbourhood the *Dutch* are like to have of their younger brother State, when they are once ſetled and confirmed in their yet infant Government: even the very ſame which the *Carthaginians* found after the new erected Common-wealth of *Rome* grew up to maturity, which proved ſo dangerous a Competitor in point of power, profit, and honour, as buried the more antient Free-State of *Carthage* in its Ruines. *Free-ſtates (eſpecially Ariſtocracies) are very quarelſome with their Neighbours, and never want many of their Patritian moſt potent Families ambitious to increaſe their own power and glory by Wars:* and therefore ſeek occaſions of quarrel with their Neighbours; ſuch was the whole Family of the *Barchines* at *Carthage*, the *Scipio's*, *Fabii*, *Camilli*, *Craſſi*, *Pompeii*, *Cæſares*, and many more at *Rome:* Thus was *Greece* torn in pieces by its Free-ſtates.

Cap. *Young's* blowing up the *Antilope* in *Helverſluce* with a Caution.

196. More Gifts to the Godly.

The Commons have beſtowed Sr. *Croſſes* Hoſpital upon *Cooke* for acting the part of an Attorney General againſt the late *King*. It is fit every *Judas* ſhould have his Reward; the New Park in *Surrey* beſtowed upon the City in reward of their Thankſgiving Dinner, that the new-packed Court of Aldermen and Common-council may not want Venyſon to fill their Wives Bellies, nor they Brow Antlers to hang their Hats on.

197. The 9. *June* the Commons (about 46 in number) had paſſed
Order 9. *June* 1649. referring all ſecured and ſecluded Members to be examined before a Committee. an Order concerning their ſecured, ſecluded, and abſented Members, and referred all ſuch as had not already entred their diſſent to the Vote, 5. *Decem.* 1648. to a Committee to give ſuch ſatisfaction to them as the Houſe ſhould approve of before the 30. of *June* inſtant, or elſe the Houſe would take order for New Elections. This was to bring the ſaid Members (300 in number at leaſt) to the winnowing, that they might admit ſuch as were for their turn to recruit their thin Houſe, and expel the reſt: few repaired to them, and of thoſe very few were choſen, the Speakers Son, Sir *John Treavour* (who hath a Monopoly of 1500l. *per annum*, out of *Newcaſtle* Coles, for which he was many Months kept out of the Houſe, and at laſt admitted (onely to comply with the Faction) and his ſaid Monopoly continued) Sir *Henry Haymonde*, and two Sons of the Earl of *Pembroke*, were received. This was thought very unreaſonable that ſo many Gentlemen either kept out, or driven away by force ſhould, by a far leſs number ſitting and acting under the ſame force, be ſent to attend a Committee, to ſtand with their Hats off to *Holland*, *Scot*, *&c.* and be examined and expelled for giving their Votes (Yea, or No) in the Houſe according to their conſciences. This was to ſubvert the Liberty of all Parliaments for the future, and to make this Houſe (which calls it ſelf a *Parliament*) a meer packed *Junto* to carry on forelaid Deſigns. Beſides, to expect they ſhould approve all that the ſitting Party in the Houſe had done in the abſence of theſe non-ſitting Members, who neither heard the Debate, nor reaſons, whereupon they grounded their Votes againſt the *King* and Houſe of Peers, nor for the aboliſhing Monarchy, and turning it into a Free-ſtate, erecting a Council of State for that purpoſe, voting the Supreme Authority to be in themſelves, and many other matters of the like high nature, which have no place in the Laws of *England*, was ſuch an impoſition as neither agreed with the known Parliament Priviledges, Liberty of Conſcience, ſo loudly profeſſed by theſe ſanctified Members which ſit) nor with humane reaſon and ſenſe. And at laſt to ſit under thoſe Armed Guards that put a force upon them (the 6. *Decem.*) before; promiſed as little of ſafety, unleſſe they would renounce their own Conſciences and Act

the

the wills of their Janiſaries and their Party; and would render them contemptible to all the world, eſpecially to thoſe men who put this inſolency upon them.

I formerly told you how unwilling the Members were to adjourn and reſign their more than Kingly Power to the Councel of State; wherefore *Cromwel* finding he could not obtain that of them by a Vote, projected another way to work his Deſign, not the old way of a violent purge by ſecuring and ſecluding the Members with his Myrmidons, that is already infamous, and would ſavour too groſly of the Power of the Sword; and would ſhew *Oliver* to be rather a Quack-ſalving Doctor of Phyſick than a Doctor of the Civil Law. He cauſed the Officers therefore to frame certain Articles of Impeachment againſt Mr. *Lenthal* their Speaker, as followeth: 168. Articles of Impeachment againſt the Speaker. Note that *Oliver*, before he left the Town, erected a Committee of Officers of the Army to proſecute and bring to puniſhment grand Delinquents. This is a new kinde of Star-Chamber of Military Nobles, held like a Rod over the Mock-Parliament, Councel of State, and the General, in caſe they ſhall oppoſe *Olivers* Deſigns.

1. *For releaſing out of* New-gate *three of the Queens Prieſts and Jeſuits by his Warrant.*

2. *For maintaining and protecting ſeveral Spies and Agents for the late King within the Line of Communication during the late War.*

3. *For conveying divers remarkable priſoners of War out of the Line of Communication unto the late King.*

4. *For aſſiſting and protecting ſeveral Plotters on the behalf of the late King, to deſtroy the City of* London.

5. *For ſuffering above* 30000 *l. to be conveyed to the late King out of the Line of Communication, wittingly and willingly.*

6. *For ſending Horſes of War, with Men and Arms to the late King.*

7. *For holding an intercourſe of Letters with the late King.*

8. *For maintaining and keeping an Agent in the Garriſon of* Oxford, *for expediting the foregoing Treacheries.*

9. *For corrupting many Members of the Parliament, ſome lately excluded, and ſome now ſitting in the Houſe to conceal and ſmother the foregoing Treacheries.*

10. *For endeavouring to take away the Lives of ſeveral the Proſecutors and Witneſſes unto the foregoing Treacheries.*

You ſee there is not one word in them of Cozening the Common-wealth (which is now become the Private wealth of every particular Saint) becauſe this would have broken univerſally the whole communion of Saints, and would have ſet them all together by the ears, to defend themſelves by recriminating one another: The device was, by taking off the Speaker to Diſſolve them, ſince they cannot by the Priviledges of the Houſe chuſe themſelves a new Speaker without the conſent of a Power higher than their own (to wit) the *Kings*, and though they will be ſo much Maſters of their own Priviledges, as to coyn new every day upon emergent occaſions, yet thoſe irregularities are alwayes done under the power and protection of the Sword, which they could not expect againſt their own Viſier Baſha *Oliver*. This trick being ſmelt out, was ſo highly reſented, that it periſhed in the birth; only (I hear) the Speaker bled in private 15000 l. towards *Olivers* expedition.

199. 100000l. Advance mony for *Cromwels* expedition.

All the ſinks of tyranny and oppreſſion about the Town, the Committee of the Revenue, Goldſmiths-hall, Haberdaſhers-hall, the Exciſe Office, &c. are all emptied into that Common Sewer *Olivers* expedition into *Ireland* (or rather *Scotland*) or engaged as a ſecurity to furniſh him with 150000 *l.* part whereof only he is accountable for; the reſidue is left to his diſcretion and conſcience to buy Towns and Victories with, and to be offered upon an Altar to be erected *Deo ignoto*.

At *Olivers* requeſt, the Houſe admitted Sir *Edward Ford* to compound upon the Articles of *Oxon*, notwithſtanding his lapſe of time; *Ford* married *Iretons* Siſter, and the Lord *Culpeppers* Son

Son married *Fords* Daughter. Observe how the General is lessened to advance *Cromwel.* 1. The Command of the Irish Forces taken from him, and *Cromwel* sent with a Higher power than ever any went with into that Nation. 2. All Souldiers that will, are enabled to leave their Regiments, and List under *Cromwel*; so that the discontented and levelling party only are left under the command of *Fairfax.*

200. More Gifts to the Godly.

Col. *Martins* Accounts brought into the House, 3. *July*, 1649. his Arrears came to 25000 l. and 1000 l. *per ann.* Land ordered to be setled upon him and his Heirs. The Lord *Gray* of *Grooby's* Arrears for the last Summer only against Duke *Hamilton*, 1500 l. These things considered, I cannot wonder at the Petition presented to the General by Captain *Jubbs*, in the name of Col. *Hutsons* Regiment about *July* 6. wherein (amongst other things) they complain, *That the House do weekly bestow* 1000 l. per an. *upon themselves out of the publick Treasury of the Nation, when as the Souldiers wants are great, and all the people are in great necessity.*

The *Moderate* from *July* 3. to *July* 10. 1640.

201. Endeavors lessen the General.

As if the dividing of the Army, and putting the most confiding men under *Cromwel*, the taking the whole command of *Ireland* from the General, and conferring it upon *Cromwel*, the drawing dry all Treasuries of Money to furnish *Cromwel*, and leaving no Money to content the Generals remaining part of the Army, the turning the *odium* of seizing and secluding the Members, and murdering the *KING*, upon the General, were not sufficient diminutions of the General, and augmentations of his Lievtenant General: The Welsh Counties are set on work to desire *Harry Martin* for their Commander in Chief; and the Western Garrisons (the most considerable of *England*) are to be taken from the General, and put into the hands of *Cromwel* and his Party, for his retreat from *Ireland*; so that if all this do not inable him to ruine the General, it will (at least) inable him to divide the Army, and cantonize the Kingdome, and turn the General into the dangers and troubles of the starving, forlorn, North Counties bordering upon *Scotland.* And if *Cromwel* finde *Ireland* too hard a bone for him (it is thought) he will endeavour to surprize the *Isle of Man*, and from thence infest *Scotland* and *Ireland.*

Abou

202. *An Inquisition for blood*, an ingenious piece newly come to light

About the 18. *July*, 1649. was presented to the world an ingenious piece, entituled [*An Inquisition for Blood*] to the Parliament, *in statu quo nunc*. And, to the Army, *Regnante*; wherein the Author proves, *That the* KING *did not take the guilt of blood Himself by granting Preambulatory Proposition in the late Treaty* in the *Isle of Wight*, in these words (*viz.*) *That he acknowledged that the two Houses of Parliament were necessitated to undertake a War in their own just and lawful Defence, &c. And that therefore all Oaths, Declarations, or other publick Instruments against the two Houses of Parliament, or any for adhering to them, &c. be Declared null, suppressed and forbidden.*

His Majesty in yielding to this Grant, had reference to two ends: 1. To prepare the way to peace, which without this had been hopeless. 2. To secure and indempnifie the two Houses, with all their Adherents, and rid them from those despairing fears and jealousies which made them adversaries to Peace.

For the words of the Preamble, they were not of His penning, He was not Author of them, but an Assentor to them; nor was He, or his Party accused, or so much as mentioned in them.

He made this Concession *sub stricta novacula*, when the Razor was (as it were) at his throat: 1. An Army of 30000 Horse and Foot effective against him. 2. When He was endangered and tired out with a long and close Imprisonment. 3. When many dangerous and menacing Petitions against His life, had been encouraged and entertained; so that the King may seem to have been necessitated to yield to this Grant for His own just and lawful defence.

His Majesty passed this Concession with these two Provisoes: 1. That it should be of no validity until the whole Treaty were intirely consummated. 2. That He might, when he pleased enlarge and clear the truth with the reservedness of his meaning herein with publick Declarations. Now the Treaty being powerfully carried on without Debate, or receiving any Proposition from the King, as was capitulated (and reciprocal Proposals are of the Essence of all Treaties) this Grant could never bind Him.

This Grant was a meer Preambulatory Proposition not of the

the eſſence of the Treaty. Philoſophers and Scool-men tell us, No valid proof can be drawn out of Proems and Introductions, but out of the body of the text. So in the Laws of *England*, and in all Accuſations and Charges, Prefaces and preambles are not pleadable. They are the laſt in penning of Laws, leaſt in account, nor never had the force of Laws.

Proems to Lawes are condemned by many Lawyers and Politicians. *eſt nihil frigidius Lege cum Prologo, jubeo lex, non ſuadet*

There's not a ſyllable in this preface which repeals any former Law inflicting a Penalty upon ſuch Subjects as bear or raiſe Arms againſt their *KING*: nor thoſe Laws which (*è contrario*) exempts from puniſhment all Subjects adhering to the Perſon of the *KING* in any Cauſe or Quarrel.

Whereas the ſaid Preface ſaith, the two Houſes *were neceſſitated to make a War, &c.* This may relate to a neceſſity *à parte poſt*, not *à parte ante*, ſelf-defence is the univerſal Law of nature, extending to all Creatures: it is, *non ſcripta ſed nata Lex.* Therefore when the two Houſes (or rather a ſchiſmatical Party in them) had brought upon themſelves a neceſſity of ſelf-defence, His Majeſty was content to acknowledge that neceſſity. If one man aſſault another upon the High-way and the Aſſailed furiouſly purſue the Aſſailant, putting him to the defenſive part; the Aſſailant is now neceſſitated to fight in his own defenſe, although he drew that neceſſity upon himſelf, yet is he now excuſable *à poſteriori*, not *à priori*. And as Civilians ſay of clandeſtine Marriges, *Quod fieri non debuit, factum valet*; for *multa ſunt quæ non niſi peracta approbantur.*

By raiſing tumults, &c.

Lewis the 13. of *France*, had many Civil Wars with his own Subjects amongſt other treaties to compoſe them, upon the Treaty of *Lodun* he was enforced to publiſh an Edict, approving of all that had been done by his Oppoſites as done for his ſervice. The like extenuations are not unuſual at the cloſe of Civil Wars; and the only uſe made of them was never other than to make the adverſe Party more capable of pardon, to ſecure them againſt the brunt of the Laws, to ſalve their credits, and pave the way for an Act of Oblivion, and reſtore a ſetled peace; Peace and War, like Water and Ice, being apt to beget one another. But never was uſe made of ſuch grants to ruin the King that granted them or his Party.

Thus having confuted that miſpriſion, *That the King by granting*

ing that Introductory Propoſition, had taken all the Blood upon His ſcore: my Author having cleared his way to his farther Inquiſition after Blood, proceeds and tells you, *Blew-Cap was the firſt that opened the Iſſue of Blood by entring* England, *and ſhewing Subjects the way of Repreſenting Petitions to the King upon their Pikes points: That the Iriſh took their riſe from him.* And whereas occaſion was taken to calumniate his Majeſty *for having a foreknowledge thereof* (amongſt many other convincing Arguments to clear him) my Lord *Macguire* upon the Ladder, and another upon the Scaffold, did freely and clearly acquit him. And (in regard great uſe was made of the Iriſh Rebellion to imbitter the People againſt the King) the Author winds up the cauſes thereof upon one bottom. Telling you,

1. They who complied with the Scots in their firſt and ſecond Inſurrection.

2. They who diſmiſſed the Iriſh Commiſſioners (ſent to preſent ſome grievances to the Parliament) with a ſhort, unpolitick harſh Anſwer.

3. They who took off *Straffords* Head (the only Obſtructor of that Rebellion) and afterwards retarded the Earl of *Leiceſters* going into *Ireland.*

4. They who hindred part of the diſbanded Army of 8000 Men, raiſed by the Earl of *Strafford*, being Souldiers of Fortune, to go ſerve the Spaniard, as his Majeſty had promiſed the two Spaniſh Ambaſſadors, the Marqueſſes of *Velada* and *Maluezzi*: which caſhiered diſcontented men firſt put fire to the Tumult. They who did all this, are guilty of the Iriſh Rebellion, and of the blood of above 100000 Proteſtants who periſhed in that War. Add, They who importuned the King (contrary to his judgement) to make the Iriſh deſperate by paſſing an Act *to confiſcate their Eſtates, and grant them away to ſuch as ſhould advance Monies upon Iriſh Adventures.*

Touching the War kindled in *England*, the Author confeſſeth it was a fatal thing there ſhould be a withdrawing of the Kings Perſon from the Parliament. But averreth it was a barbarous thing that the King with above four parts in five of the Lords, and two parts in three of the Commons, ſhould be frighted away by Tumults raiſed by *Ven* and *Bourges*, and a Deſign

ſign to ſeize the Kings Perſon; yet it is fit it ſhould be remembred.

1. *What reiterated Meſſages his Majeſty ſent*, offering to return, if there might be a courſe taken to ſecure his Perſon, with thoſe Peers and Commons rioted away.

2. *That there was not the leaſt motion towards War, until* Hotham *ſhut the Gates of* Hull *againſt the King*, attended onely with ſome few of his houſhold ſervants; which Act of his was approved of afterwards by the Houſe of Commons Vote, as if he had done it by their Warrant.

3. *That a while after, there was an Army of* 16000 *men effective inrolled about London*, to fetch Him to His Parliament, and remove ill Counſellors, under the Earl of *Eſſex*, long before the King began to ſet up His Standard.

4. That the ſame Army ſo raiſed, to bring the King to His Parliament, was continued two years after to keep Him from His Parliament.

5. *Who interdicted Trade firſt, and brought in Forreign Force to help them? and whoſe Commiſſions of War were near upon two years date before the Kings.*

6. That in all His Declarations, He alwayes proteſted, He waged not War againſt the Parliament, but againſt ſome Seditious Members, againſt whom He could not obtain Common Juſtice.

7. *That upon all good Succeſſes, the King ſtill courted the Parliament and City to an Accommodation.*

8. That upon the Treaty of *Uxbridge*, *The King moved, that (to prepare mens mindes to Peace) there might be freedome of Trade* from Town to Town: *A ceſſation of all Acts of Hoſtility* for the time, that the inflamation being allayed, the wound might be cured the ſooner.

9. *That this preſent Army remember how often in their Propoſalls and Declarations they proteſted, That their aim was, to reſtore His Majeſty with Honour, Freedome, and Safety*, whereunto they were formerly bound by their Proteſtation and Covenant; and that *the two Commanders in Chief pawn'd their Souls to Him thereupon.*

10. That to ſettle Peace, the King did in effect (by His Conceſſions)

cellions) *part with His Sword, Scepter, and Crown, and every thing that was perſonal to Him.*

11. With what admired Temper, Prudence, Conſtancy, He comported Himſelf in His Afflictions; and how many of His engaged Enemies became His Converts thereby, ſpeaking Panegyricks in His praiſe.

12. That though there be ſome precedents in our Hiſtories for Depoſing Kings in point of Competition for the Crown; yet it is unexampled, That a King of *England*, of an undoubted Title, ſhould be Summoned, Arraigned, Tried, Condemned, and Executed at His own Door, by His own Subjects, and by *the Name of their King, to whom they had ſworn Allegiance; Contrary to the whole Current of the Law*, which ſaith, *The King can do no wrong, The Crown takes away all defects*: Wherefore it was adjudged ſuperfluous to take off Attainders, under which *Hen.7.* and Queen *Eliz.* lay, becauſe the Crown wiped off all Blots. *Rex non habet Parem in ſuis Dominiis nec Superiorem, ſavis habet Rex ad pœnam; quod Deum expectat ultorem.* If therefore by the *Laws of the Land, all men muſt be Tried by their Peers, and the King have no Peer*, what power had theſe Men to Arraign their King? to be *both His engaged Enemies, Accuſors, and Judges; and to Erect an unpreſidented Tribunal, without the leaſt Foundation in Law*, with *power*, and *purpoſe to condemn* all that came before it; and that *Sentence of Death ſhould paſs without conviction, or Law, againſt the Head, and Protector of our Laws, and Fountain of Juſtice and Mercy.*

13. That they who (by their own Confeſſion) *repreſent but the Common People*, ſhould aſſume power to cut him off, *who immediately repreſented God.*

203. Mr. *Pryns* excellent Book entituled [*A legal Vindication of the Liberties of* England]

About the ſame time Mr. *William Pryn* Aſſigned his Reaſons, why he could neither in *Couſcience, Law, nor Prudence, voluntarily ſubmit to pay the Arbitrary illegal Tax of* 90000 l. *a Month, impoſed upon the People, by a pretended Act of the Commons, bearing date* 7. April 1649. *towards the maintenance of Forces to be continued in* England *and* Ireland.

illegal Taxes, and pretended Acts of Parliament abridged in part, but the whole commended to be ſeriouſly read by all men.

Becauſe

Becauſe by the *Fundamental Laws*, and *known Statutes* of this Land, *No Tax, &c. ought to be impoſed, or Leavied, but by the Will and common Aſſent of the Earls, Barons, Knights, Burgeſſes, Commons, and whole Realm in a Free and full Parliament.* See *Magna Charta*, 29, 30. Stat. 25 *Edw.* 1. chap. 5, 6. 34 *Edw.* 1. *De Tallagio non concedendo*, c. 1. 21 *Edw.* 3. Rot. Parl. nu. 16. 25 *Edw.* 3. c. 8. 36 *Ed.* 3. Rot. Parl. nu. 26. 45 *Ed.* 3. Rot. Parl. nu. 42. 11 *Hen.* 4. Rot. Parl. nu. 10. 1 *Rich.* 3. c. 2. *The Petition of Right, and Reſolutions of both Houſes againſt Loans*, 3 Car. *The Votes and Acts againſt Ship-money, Knighthood, Tonnage and Poundage*, and the Star-chamber this Parliament, 17, 18. Car. agreed to by Mr. *William Hackwel*, in his Argument againſt impoſitions. Judge *Hutton* and *Crook* in their Arguments; Mr. *Saint Johns in his Argument and Speech againſt Ship-money*, with other Arguments and diſcourſes upon that ſubject. Sir *Ed. Cook* in his 2 Inſtit. pag. 59, 60. 527, 528, 529, 532, 533. But this Aſſeſſement was not ſo legally impoſed, *Ergo*, I, nor no man elſe ought to pay it. 1. *This Tax was not impoſed by any Parliament; The late Parliament being actually diſſolved above two months before this pretended Act was paſſed for impoſing it, by the Murder of the King*, as is reſolved by the Parliament. 1 *Hen.* 4. Rot. Parl. nu. 1. 4 *Hen.* 4. and 1 *Hen.* 5. Rot. Parl. nu. 26. *Cooks* 4. Inſtitutes, p. 46. 4 *Edw.* 4. 44. 6. *For the King being both the Begining, End, and Foundation of Parliaments* (according to *Modus tenendi Parliamentum*, and Sir *Edw. Cook* 4. Inſtit. p. 3.) which are *Summoned and Conſtituted only by his Writ, the Writ is actually abated by his Death.* 1 *Edw.* 6. c. 7. *Cooks* 7. Rep. 30, 31. *Dyer* 165. 4 *Ed.* 4. 43, 44. 1 *Ed.* 5. 1 *Brook* Comiſſion, 19. 21.

It appears by the Writs of Summons to the Lords (*Crompt.* Juriſdiction of Courts, fol. 1 *Cooks* 4. Inſtit. p. 9. 10.) *and of Elections and leavying their Wages*: That the Parliament was only *Parliamentum noſtrum*, the Parliament of the Kings that is Dead, *Parliamentum Noſtrum ad tractandum nobiſcum ſuper arduis negotiis Regni noſtri*, can be continued one and the ſame Parliament after the Kings death that called it; and the Monarchy changed into a Commonwealth? formally it cannot be the ſame, the Head thereof being gone: The Lords Houſe and Monarchy being aboliſhed, and the State not the ſame; Materially it cannot be the ſame, ſo many of the ancient Members being thrown out, and new ones unduly elected brought in. But there are ſome pragmatical Taylors in the Houſe, who can make a garment fit for all ſtates of the Moon, and a Parliament fit for all changes of the State.

Quære, How a Parliament ſummoned by the Writ of K. *Charles* I. and called

not of His Heirs and Succeſſors, They are all Summoned to come to *his Parliament to adviſe with him (nobiſcum,* not with his Heirs and Succeſſors) of great and weighty Affairs concerning, *Nos & Regnum noſtrum,* Him and his Kingdom, 5 *Edw.*3.6.part 2.*Dorſ. Clauſ.* Regiſt. fol.192,200. So the *King being dead, and his Writ and Authority by which they were Summoned, and the end for which they were called: Ad Tractandum ibidem nobiſcum, ſuper arduis negotiis nos & ſtatum Regni noſtri tangentibus,* being thereby abſolutely determined without any hope of Revival: *The Parliament is determined thereby, eſpecially as thoſe who have Diſ-inherited his Heirs and Succeſſors, and Voted down Monarchy it ſelf, and the Remnant now ſitting are no longer Members of Parliament, as all Judges, Juſtices of the Peace, Sheriffs, made onely by the Kings Writ or Commiſſion,* and not by Patent, Ceaſe and become void by the Kings death, for this very reaſon, becauſe they are conſtituted, *Juſtitiarios & Vicecomites noſtros ad pacem noſtram, &c. cuſtodiendum.* The King being dead, his Writs and Commiſſions expire with him. 4 *Ed.*4.43.44.*Brook* Office and Officer 25. Commiſſion, 19.21.*Dyer.* 195.*Cook* 7.Rep. 30,31 1 *Ed.*6.c.7. *Daltons* Juſtice of Peace, chap.3.pag.13.*Lambert*, pag.61.

Object. If any object the Act of continuance of the Parliament, 17 *Car. That this preſent Parliament ſhall not be diſſolved unleſſe it be by Act of Parliament for that purpoſe.*

Anſw. It is anſwered, *That it is a Maxim in Law, That every Statute ought to be expounded according to the intent of thoſe that made it, and the miſchiefs it intended only to prevent.* 4 *Edw.* 4. 12. 12 *Edw.* 4.18.1 *Hen.* 7. 12, 13. *Plowdens* Comment. fol. 369. *Cooks* 4.Inſtitutes pag 329, 330. *Now the intent of the Makers of this Act, was not to prevent the Parliaments diſſolution by the Kings Death (no wayes intimated in any clauſe thereof, although it be a clear diſſolution of it to all intents; not provided for by this Act) but by any Writ or Proclamation of the Kings by his Regal power,* without the conſent of both Houſes, which I ſhall prove by the Arguments following.

1. *From the principal occaſion of making the ſaid Act.* The Commons in their *Remonſtrance,* 15. *Decemb.* 1642. complain, That the King had diſſolved all former Parliaments againſt approbation of both Houſes of Parliament; *Wherefore to prevent the*

the diſſolution, Prorogation, or Adjournment of this preſent Parl. by the Kings Regal Power after the Scots *Army ſhould be disbanded, and before the things mentioned in the Preamble could be effected. was the ground and occaſion of this Law:* and not any fear of Diſſolving the Parliament by the Kings death, Natural, or Violent, which is confeſſed by the Commons in the ſaid Remonſtrance, *Exact Collect.* pag. 5, 6. 14, 17. compared together, where they Affirm, the abrupt diſſolution of this Parliament is prevented by another Bill, &c. In the Bill for continuance of this Parliament, *there ſeems to be ſome reſtraint of the Royal power in Diſſolving of Parliaments; not to take it out of the Crown, but to ſuſpend the execution of it for this time,* and occaſion only, which was ſo neceſſary for the Kings own ſecurity, and the publick peace, that without it we could not have undertaken any of thoſe great Charges, but muſt have left both Armies to diſorder and confuſion, &c.

2. *The very Title of this Act* [*an Act to prevent inconveniencies which may happen by the untimely Adjourning, Proroguing, or Diſſolution of this preſent Parliament*] *intimates as much, compared with the body of it, which provides as well againſt the Adjourning, or Proroguing without an Act, as againſt a Diſſolution. Now the Parliament cannot be ſaid to be Adjourned, or Prorogued untimely by the Kings death (which never Adjourned, or Prorogued any Parliament) but only by his Proclamation, Writ, or Royal Command to the Houſes, or their Speaker executed during his Life-time,* See Parl. Rolls, 6 *Edw.* 3. 2. Rot. Parl. 3. 6. 5 *Ric.* 2. n. 64, 65. 11 *Ric.* 2. nu. 14, 16, 20. 8 *Hen.* 4. nu. 2, 7. 27 *Hen.* 6. nu. 12. 28 *Hen.* 6. nu. 8, 9, 11. 29 *Hen.* 6. nu. 10, 11. 31 *Hen.* 6. nu. 22, 30, 49. and *Cooks* 4. Inſtit. p. 25. *Dyer fol.* 203.

3. *The Prologue of the Act implies as much, whereas great ſumms of Money muſt of neceſſity be ſpeedily advanced* for relief of His Majeſties Army (not His Heire, or Succeſſor) and for ſupplying other his Majeſties (not his Heires, nor Succeſſors) occaſions, which cannot be ſo timely effected as is requiſite, without credit for raiſing the ſaid Moneys; which credit cannot be attained until ſuch Obſtacles be firſt removed, as are occaſioned by Fears and Jealouſies; *That this Parliament may be Adjourned, Prorogued, or Diſſolved, before Juſtice ſhall be duly executed*

uted upon Delinquents (then in being, as *Strafford, Canterbury*, nc since made) *Publick Grievances* (then complained of, as Star chamber, High Commission, Ship-money, Knighthood-money Tonnage, and Poundage, &c.) redressed: *Peace concluded* between the two Nations, *sufficient provisions made for repayme* of the said monies (not others since) so to be raised. *All whic expressions related onely to his late Majesty, as to his Acts of Roya Power, not to his Heirs and Successors, after his Natural (muc ess) Violent death*, which was not then thought on, but publicl y Detested and Protested against; No man being so hardy as t ention it for fear of the Law, not then subdued by the Sworc nd the several Principal Scopes of this Act are fully satisfie ong before the late Kings death.

4. *It is clear by the Body of this Act*; And be it declared, &c That this present parliament, &c. *shall not be dissolved, unless e by Act of Parliament to be passed for that purpose; nor shall a ny time*, or times during this present Parliament, *be Adjourned r Prorogued*, unless it be by Act of Parliament to be passed for hat purpose; and that the House of Peers shall not at any time, r times, during this present Parliament, be Adjourned, unless be by themselves, or by their own order. And in like manner, *hat the House of Commons shall not at any time*, or times be Adourned, &c. as aforesaid. From whence it is undeniable,

1. *That this Act was onely to prevent untimely Dissolving, Proguing, and Adjourning* of that present Parliament then assemled, and no other, *by Acts of Royall power.*

2. *That the King was the principal Estate and Member*, yea, our overaign Lord, the sole declarer, and Enacter of this Law, by ssent of the Lords and Commons.

3. *That neither this Act, nor any other, for Dissolving, Proroguing, Adjourning this Parl. could be made without the Kings Royal Asnt*, which the Lords and Commons in their Remonstrance, 26. lay, 1642. often acknowledge, together with his Negative Voice Bills, *exact. Collect.* p. 69. 70. 736. 709. 722.

4. *That it was not the Kings intent in passing this Act, to shut imself out of Parliament*, or create Members of Parliament ithout a King, as he professeth, Εἰκὼν Βασιλικὴ, c. 5. *Nor the ords and Commons intent to Dis-member Him from His Parlia-*

ment,

ment, and make themſelves a Parliament without [illegible] ſaid Remonſtrance teſtifies, and the words of the Act import, *much leſs was it their intent to pack a Parliament of* forty *or* fifty *Commons onely, ſelected by Colonel* Pride, *to Vote according to the Dictates of a Councel of War*, after they had deſtroyed the King, and Houſe of Peers: *Againſt which tranſcendent uſurpation this very Act provides, That the Houſe of Peers ſhall not be ſo much as Adjourned, or Prorogued, but by themſelves, or their own Order.*

5. *Neither did* King, Lords, *and* Commons, *in paſſing this Act intend, That by Murdering the King, Aboliſhing the Houſe of Lords, and expelling the power of the Sword eight parts of ten of the Commons, the remaining Faction ſhould conſtitute themſelves, their Heirs and Succeſſours, a perpetual Parliament*, which would Croſs and Repeal the Act for a Triennial Parliament made on the ſame day in Law. *Brook*, Parliament 80. Relation 85. *Dyer* 85.

It is againſt the nature and eſſence a Parl. to be Perpetual, & againſt the Liberty of the People.

6. *The laſt Clauſe of this Act concludes as much. And that all, and every thing, or things whatſoever done, or to be done (to wit, by the King, or his Authority) for the Adjournment, Proroguing, or Diſſolving of this Parliament*, contrary to this preſent Act, ſhall be utterly void and of none effect. *Now death of the King, and Diſſolution of this Parliament thereby, cannot properly be ſtiled a thing done, or to be done by the King, if by thoſe words (things done, or to be done for the diſſolving, &c.) they ſhall ſay, they related to the Kings Natural Death.* Natural Death is the Act of God, which the Saints cannot make void; *if they related to His violent Death, it could not then be ſaid a thing done, or to be done for the unlawfulneſs and injuſtice of it. This Act paſſed long before any War or Bloodſhed*; The only pretence they have ſince found out for the Kings Murder.

2. If this Parliament were not Diſſolved by the Kings Death, *Yet the Houſe of* Peers (*formerly Voted*) *down by the Commons, gave no conſent to the paſſing this Act.* Entituled, *An Act of the Houſe of Commons*; who, without the concurring Aſſent of the Lords, and the Kings Royal Aſſent, have no power to paſs any Act, Make, or Declare any Law, or impoſe any Tax, as appears by the fore-recited Acts; The *Petition of Right*, The *Act*

for

for the Triennial Parliament, and this very Act againſt Diſſolving, Proroguing, &c. with all our printed Statutes, Parliament Rolls, and Law-Books. The Commons being ſo far from claiming the ſole Legiſlative power heretofore, as that they were not Summoned to our Ancient Parliaments (which conſiſted onely of King, Lords Temporal and Spiritual) until 47 *Hen.*3. nor had they ſo much as a Houſe of Commons, or Speaker, until the Reign of *Edw.*3. nor never tendred any Acts or Bills to the King, but Petitions onely of Grievances, until long after *Rich.* 2. time. See the printed Prologues to the Stat. 1,4,5,9,10,20, 23,36,37. 50 *Edw.*3. 1 *Ric.*2.1,2,4,5,7,9,11. 13 *Hen.*4.1,2,3,4,8. 9 *Hen.*5.1,2,3,4,6,8,9,10,11,14,15,28,29.39 *Hen.*6.1,4,7,8,12,17. 22 *Edw.*4. 1 *Rich.*3.

3. *But ſuppoſe the Commons alone had power to impoſe Taxes, yet it muſt be in a full and free Houſe*: whereas, when this Act for 90000l. a month paſſed, the Houſe was neither Full, nor Free. The major part of the Houſe (who by Law are the Houſe) to wit, eight parts of ten at the leaſt, being Secured or Secluded by Col. *Pride*, and his Souldiers by Confederacy with thoſe forty or fifty then ſitting when this Act paſſed, and paſſing the Wills of the Councel of Officers, to the ſubverſion of Parliaments, and the great wrong of thoſe Counties and Burroughs for whom they ſerved.

Object. If it be objected, that by uſage of Parliament, forty *Members make a Houſe of Commons.*

Anſw. 1. I Anſwer, not to all intents and purpoſes, *Not to grant Subſidies, nor paſs Laws, or matters of greateſt moment, Modus tenendi Parl. Cooks* 4. Inſtit. pag.1,2,26,35,36. *Cromptons* Juriſ. of Courts.fol.1.39. *Edw.* 3.7. *Brook*, Parl.27.1 *Jac.*1.

2. Forty Members make not a Houſe, when the reſt are Excluded by force without doors, and fraud of their Fellow-members within doors, on purpoſe that (being the major number) they may not over-vote them. *The Commons not having power to expel any of their Members, without conſent of King and Lords, in whom onely the Judicial Power reſides. Paribus in Pares non eſt Poteſtas*, Clauſ. *Dorſ.* 7 *Rich.*2. M. 27. *Seldens* Title of Honour, pag. 737. Baron *Camoyes* caſe diſcharged by the Kings Writ, and Judgement from ſerving amongſt the Commons, becauſe a Peer

Peer of the Realm: The practise for Members to expel and Sequester their Fellow-Members, being a late dangerous innovation, to pack a Factious Conventicle instead of a Parliament.

If the King should send forth no more Writs than would Summon forty or fifty Commons it were no House.

So Mr. *Pryn* concludes, That if he should voluntarily submit to pay this Tax, by vertue of the said pretended Act of Parliament Dated 7. *of* April, 1649. made by those now sitting (some of whose Elections have been voted void, others of them Elected by new Illegal Writs, under a new kind of Seal, since the Kings Beheading; as the Earl of *Pembroke*, and Lord *Edward Howard*, uncapable of being Knights or Burgesses by the Common Law, because Peers of the Realm, as was adjudged in the Lord *Cannoyes* case, *Claus. Dors.* 7 *Rich.* 2. M. 32. and asserted by Mr. *Seldens* Titles of Honour. Part. 2. chap. 5. pag. 735. Seconded by *Cooks* 4. Instit. pag. 1, 4, 5, 46, 47, 49.) As he should admit those to be lawful Members, so he should assent to *ex post facto*, some particulars against his Knowledge, and against the Oathes of Allegiance, Supremacy, Protestation, Solemn League and Covenant, taken in the presence of God, with a sincere heart, and real intention to perform the same; and persevere therein all the days of his life, without suffering himself directly, or indirectly, by whatsoever Combination, Perswasion or Terrour to be withdrawn therefrom. As for example, he should thereby acknowledge contrary to his knowledge, and the said Oathes and Covenant. Added by the Abridger.

1. That there may be, and now is, a lawful Parliament of *England*, actually in being, and legally continuing after the Kings Death; consisting only of a few late Members of the Commons House, without either King, Lords, or most of their fellow Members.

2. That this Parliament sitting under a force, (and so unduly Constituted, and paked by power of an Army combining with them) hath just and lawful Authority.

1. To *violate* the Priviledges, Rights, Freedomes, Customes, and *alter the Constitution* of our Parliaments themselves.

2. *To imprison, Seclude, and Expell* most of their fellow

Members (the far major part of the Houſe) for Voting and according to their Conſciences (in favor of Peace, and ſettlement of the Commonwealth.)

3. To *Repeal* all Votes, Ordinances, and Acts of Parliament they pleaſe.

4. To *Erect new* Arbitrary Courts of War and Juſtice.

5. To *Arraign, Condemn,* and *Execute* the King himſelf, with the Peers and Commons of this Realm, by a new kind of Martial Law, contrary to *Magna Charta, The Petition of Right, 3 Car.* and the known Laws of the Land.

6. To *Diſ-inherit* the Kings Poſterity of the Crown.

7. To *Extirpate* Monarchy and the whole Houſe of Peers.

8. To *Change and ſubvert* the Ancient Government, Seals, Laws, Writs, Legal Proceedings, Courts, and Coyn of the Kingdome.

9. To *Sell and diſpoſe of all* the Lands, Revenues, Jewels, Goods of the Crown, with the Lands of Deanes and Chapters, for their own advantage, not the eaſing of the People from Taxes.)

10. To *abſolve themſelves (by a Papal kind of power) and all the Subjects of England and Ireland,* from all the Oaths and Engagements they have made to the Kings Majeſty, his Heirs and Succeſſors; yea, from the very Oath of Allegiance, notwithſtanding this expreſs Clauſe in it (fit to be laid to heart by all conſcientious Chriſtians) *I do believe, and in conſcience am reſolved, That neither the Pope, nor any perſon whatſoever hath power to abſolve me of this Oath, or any part thereof, which I acknowledge by good and full Authority to be lawfully Miniſtred to me, and do renounce all Pardons and Diſpenſations to the contrary.*

11. To *diſpence with our* Proteſtation and Covenant ſo Zealouſly enjoined by both Houſes on all ſorts of People.

12. To *diſpoſe of* the Forts, Ships, Forces, Offices, and places of Honour, Power, Truſt, or Profit, to whom they pleaſe (to their own Party.)

13. To *Diſplace and remove* whom they pleaſe from their Offices, Truſts, penſions, Callings and Franchiſes at their pleaſures without any Legal Cauſe or Trial.

14. To *make what new Acts, Laws, and Reverſe what Old*

ones

nes they think meet, to inſnare and inthral our Conſciences, Eſtates, Liberties and Lives.

15. To *create new monſtrous Treaſons* never heard of before *and to declare Real Treaſons againſt the King, Kingdome and Parliament to be no Treaſons*; and Loyalty, Allegiance, due obedience to our known Laws, and a conſcientious obſerving our Oath of Allegiancy and Supremacy, and the Covenant, to be no leſs than High Treaſon; for which they may take away our Lives and confiscate our Eſtates to their new Exchequer. Thereby a once repealing *Magna Charta*, c.29. 5 *Edw.*3.c.6. 25 *Edw.*3.c.4 28 *Edw.*3.c.3. 37 *Edw.*3.c.18.42 *Edw.*3.c.3. 25 *Edw.*3.c.2.11 *Rich* 2.c.4. 1 *Hen.*4.c.10. 2 *Hen.*4. Rot. Parl.11. n.60. 1 *Edw.*6.c.12 1 *M.*c.1. *The Petition of Right*, 3 *Car.* So much commended this Parliament, and laying all our Laws, Liberties, Eſtates and Lives waſte, after they have drawn ſo much Blood and Treaſure from us in defence of them.

16. To *raiſe and keep up what forces by* Land and Sea they pleaſe, and *impoſe what Taxes they pleaſe*, and renew, increaſe and perpetuate them to ſupport their more than Regal or Parliamentary power.

17. To *pack and ſhuffle themſelves into a Councel of Lords, States General (without any provincial States)* forty H[illegible]ens Mogens, with Supream, Regal, and Arbitrary power, in abſence of Parliaments which are Aboliſhed by theſe Uſurpations, as well as Monarchy. This 17 is added by the Abridger

4. The principal ends propoſed in the pretended Act for impoſing this 90000 l. a months Tax, oblige all men not to pay it. *viz.* The keeping up this Army under the Lord *Fairfax.*

1. *Becauſe this Army by rebelling againſt their Maſters*, the Parliament, and waging War upon them; and by conſpiring with their own party of the ſitting Commons have occaſioned all the Miſchiefs laſt mentioned, to the ruine of King, Parliament, and Kingdome, Religion, Laws, Liberty, and Property; and daily threaten an utter diſſolution, both in their Deeds, and Words: Both Officers and Souldiers Boaſting, *That the whole Kingdome, and all we have is theirs by Conqueſt; That we are but their conquered Slaves and Vaſſals, and they Lords of the Kingdome, That our Lives are at their Mercy and Courteſie; That when they*

have gotten all we have from us by Taxes and Free-quarter, they will ſeize our Lands, and turn Us, and our Families out of Doors, That there is no Law in England *but the Sword* (as *Hugh Peters* the Rebels Apoſtle ſaith) *The preſent power muſt be obeyed* (ſaith paraſitical *John Goodwin*) that is the power of the Sword ſtill.

fore hath een raiſed y Taxes heſe laſt ight years, han in all he Kings teigns ſince he Conqueſt nd no ac- ount given.

2. *No Tax ought to be impoſed but upon neceſſity, for good of the people,* 25 *Edw.*1.chap.6. *Cooks* 2. Inſtit.pag.528. But the keeping up this Army is the Bane of the people.

1. Becauſe they are already exhauſted with War, Plunder, Taxes, Freequarter, &c.

2. Becauſe the Souldiers have decayed Trade, and brought a Dearth upon the Land.

3. This Tax of 90000l. a month deſtroyed Trade, by Foreſtalling and Engroſſing moſt of the Money now left in the Kingdome.

4. There is no Enemy in the Kingdome viſible, nor no fear of any, if we will beleeve our Grandees.

5. When the King had two Armies in the Field, and many Garriſons, this whole Army conſiſted but of 22000 Men, and had an Eſtabliſhed pay but 45000l. a month. See *Ordinances* 15. *Feb.* 1644. and 6. *April* 1646. *Exact Collect.*pag.599,876. But when the Army (by confederacy with their party in the Houſe) took the boldneſs to increaſe their number without Order, 60000 l. a month, was thought abundantly ſufficient to pay the Army, and take off Free-quarter: And why this Tax ſhould now be raiſed to 90000l. a month, when ſundry Regiments of it are Aſſigned for *Ireland*, and yet Free-quarter continued, is a Myſtery of Iniquity which fills the Saints pockets with Money, and all the world with Wonder.

6. The Counties *Militia* (ſo much contended for with the King) would better defend the Kingdome from Forreign Invaſions than a Mercinary Army. Therefore there is neither neceſſity, nor publick utility in keeping up this Army, or raiſing Taxes to maintain them, or pay their pretended Arrears. The Free-quarter they have taken in kinde, and levied in money, will treble their Arrears, and make them much indebted to the Country. Thus far (and much farther) Maſter *Pryn*, whoſe whole

whole Book at large I commend to all mens serious perusal.

The Marquess of *Ormonds* happy atchievments in *Ireland* beginning to look formidably, had cooled the heat of K. *Olivers* courage (though not of his Liver) insomuch that he and his intimate friends began to project how (without loss of reputation) to take him off from so desperate an Engagement, as (at that time) that seemed to be; unnecessary delays were used in shipping his Men. *Haslerig* and his party reported great terrours from *Scotland*. *Oliver* and his Blood-hounds of the Faction made a shift to smell out a silly Plot in *Dorsetshire* for surprisal of *Weymouth* and *Portland* for the *KING*; now laughed at, and exploded by their own News-books. And the tender-conscienced Brethren were prompted to apprehend their own dangers, and put into a Petitioning posture, *That such a Worthy of* Israel, *such a chosen Instrument of Gods mercy, might not in a time of danger leave the Land of his Nativity, the Habitation of the Saints, to seek forraign adventures in a Heathen Land:* Whilst these preparations were making to withdraw *Olivers* stake, he appeared not openly in them, but making more shew of the Lions skin than the Foxes, had written to Col. *Jones* how heartless his Souldiers were, and that unless *Jones* did by some successful Sally lessen their terrour, he should not be able to get them on Ship-board. This was (like the Monkey) to rake Chesnuts out of the fire with the Cats foot; to take a presage of his own success at Col. *Jones* hazard. *Jones* makes an attempt with better luck than he expected, though not with half so good success as was reported. Saturday, 12. *August*, when the news first came to Town, (the Lion is not so terrible as he is painted) it is a peculiar priviledge of the Saints to lie (without sin, or at least, without imputation of sin) for the good Cause, either *in Re*, or *in modo Rei*, in the matter, or manner; in the thing, or the extent thereof: yet this success was enough to invite *Cromwel* over to pursue the Victory, and partake of the spoils, if not to usurp the whole Honour of the Atchievment to himself, by his accustomed special prerogative. So upon the 16, or 17. of *August*, K *Nol* set sail towards his new Principality, carrying (contrary to the custome of the Sea) his Lanthorn in his Proawe, not in his Poop; where we will leave him for the present to his adventures.

204. *Cromwel* sets sail for *Ireland*.

I have

205. The Aſſociation between O *Neale* and C. *Monck*. See the Paper at large

I have formerly hinted to you the Agreement made between Colonel *Monck* in behalf of the Parliament of *England*, and *Owen Roe Oneale*, the maſſacring Iriſh Rebel; I have now occaſion to ſpeak more at large of it, and examine the truth of a Paper, called, [*The true ſtate of the Tranſactions of Col.* George Monck *with* Owen Roe Oneale, *as it was reported to the Parliament by the Councel of State, &c.*] Printed by *Edward Husbands*, 15. *Auguſt*, 1649. The ſaid Agreement made between the Antimonarchical Independent party in *Ireland*, and the maſſacring Antimonarchical Popiſh party under *Owen Roe Oneale* (being a meer conſpiracy to root out Monarchy and Proteſtancy; firſt, in *Ireland*, and then in *England*; and a ſecond crucifying of Chriſt in his members between two Thieves, the Schiſmatick and the Papiſt) was ſo generally abhorred by the Engliſh Souldiery, that many there took occaſion to forſake the Engliſh Parliament; and many here disbanded rather than they would accompany *Cromwel* in ſo wicked an Expedition. Wherefore *Cromwel* writ Letters to his Creatures of the Councel of State by *Monck* himſelf, complaining how much the miſcarriage of that Agreement had retarded his ſaid Voyage; deſiring them (for ſatisfaction of the Souldiery and People) to treat with *Monck* to take the whole buſineſs upon himſelf, and to clear the Councel of State, the Parliament, and *Cromwel* himſelf, from having any hand at all in it, which upon terms of ſafety and advantage (he ſaid) he already found him inclinable to do. The better to carry on the ſcene, this Argument was with much heat of zeal complained of in the Apocryphal Houſe of Commons by a Brother who had his cue beforehand, and by the Junto was referred to the Councel of State as was forelaid, where their High and Mightineſſes (after ſome private conference with *Monck* to accommodate the buſineſs) voted their diſlike of it; *Bradſhaw* reprehending *Monck* in jeſt therefore. And at laſt they Ordered, *That the whole buſineſs, with* Moncks *Reaſons for his juſtification, ſhould be reported by* Thomas Scot *to the Houſe of Commons*, which was accordingly done. Upon Friday, 10. *Auguſt*, *Monck* was called in to the Bar, where (amongſt other things) the Speaker aſked him, *What Perſons he meant in his Letter to the L. Lieutenant of* Ireland; wherein he ſaith, *He made the Agreement with* O Neale *with the advice of*

Scot having ſtudied the Politicks in a Brewers Tally, is become a great Statef-man in our new *Babel*. See the ſaid Paper, *The true ſtate &c.*

ſome others? *Monck* anſwered, *that he did it upon his own ſcore; without advice of any other perſon; only having diſcourſe with Colonel* Jones: Jones *told him, if he could keep* Owen Roe *and* Ormond *from joining, it would be a good ſervice.* This Anſwer (ſuch as it is) was taken for ſatisfactory in ſo Comick an Interlude. The next demand was, *Whether he had any Advice or Directions from the Parliament, Council of State, Lord Lieutenant of* Ireland, *or any other perſon here to do the ſame?* which he did expreſly deny, ſaying, *he did it upon his own ſcore.* Hereupon the Houſe voted as followeth:

Reſolved, &c. That the Houſe doth utterly diſapprove of the proceedings of Col. Monck *in the Treaty and Ceſſation* (as they pleaſe to call it) *made between him and* Owen Roe O Neal; *and that this Houſe doth deteſt the thoughts of any cloſing with any Party of Popiſh Rebels there, who have had their hands in ſhedding Engliſh blood. Nevertheleſs the Houſe being ſatisfied that what the ſaid Col.* Monck *did therein, was, in his apprehenſion neceſſary for the preſervation of the* Parliament *of* Englands *Intereſt: That the Houſe is content the farther conſideration thereof, as to him, be laid aſide, and ſhall not at any time hereafter be called in queſtion.* So *exit Monck*, and the Play was done: wherein take notice of theſe following Obſervations.

1. The Armies Doctrine and uſe of apprehended neceſſity and good intentions to juſtifie evil actions; approved of by this example of the Parliament (as they will be called.)

2. This Agreement (though it were at leaſt twelve Weeks ago publickly known in *England*, and divulged in their own Licenſed News-bhoks) was never ſcrupled until now: That 1. the ſaid Agreement was expired. 2. That *O Neal* was ſo beaten by the Lord *Inchiquine*, that he is (as their own News-books ſay) inconſiderable, and muſt ſuddenly join with the Marqueſſe of *Ormond*, or be deſtroyed.

See the Anſwer of the Council of Officers to the Parliaments Demand, concerning their ſecured Members: And, their Anſwer thereunto.

3. That theſe *Votes* call this **Agreement* but a *Treaty* and *Ceſſation of Arms*: which (I affirm) to be a League Defenſive and Offenſive againſt *Ormond*, *Inchiquine*, and all that do and ſhall uphold

* Let me not ſeem over bold in maintaining a different opinion, ſince Parliaments are no more infallible than Popes; and all humane opinions are equal, unleſſe Reaſon make the difference. I hope we have not loſt our Reaſon with our Laws and Liberties, nor the exerciſe and uſe of it.

uphold Monarchy (if not Proteſtancy too) for theſe Reaſons: 1. Article ſecond ſaith, *That upon all occaſions both Parties be ready with their Forces to aſſiſt one another until a more abſolute Agreement be made and condeſcended unto by the Parliament of* England. This is beyond a Ceſſation. 2. Article third, ſaith, *That the Creaghts of* Ulſter *reſiding within the Quarters of Col.* Monck, *ſhall pay Contribution to General* Owen Oneale. This is a Conceſſion of a great latitude, far beyond the authority of any ſubordinate Commander or General, and againſt the Laws and Liberties of the Land *to grant Taxes.* It ſhould ſeem by this, that *Oneale* and his Army were become Mercenaries, taken into pay by *Monck.* 3. Article fourth, ſaith, *That if General* Owen Oneale *ſhall happen to fight againſt the Forces under the Command of the Marqueſſe of* Ormond, *the Lord* Inchiquine, *or any other Enemies of the Parliament of* England, *and thereby ſpend his Ammunition, if he be near unto my Quarters, and be diſtreſſed for want of Ammunition, I ſhall then furniſh him.* This was actually performed when my Lord *Inchiquine* beſieged *Dundalke.* I make the ſame interpretation of this Article that I have made of the third. 4. The fifth Article alloweth to *Oneale the uſe of any Harbours within Col.* Moncks *liberty*; which likewiſe is too much for a bare Ceſſation or Truce.

4. Who can believe that any ſubordinate Officer Commiſſionated to proſecute a War againſt *Owen Roe* and the reſt in Arms in that Kingdom, ſhould dare to Treat and conclude an Agreement and conjunction with that very Enemy he had Commiſſion to fight againſt without the knowledge and directions (publick or private) of thoſe from or under whom he hath his Authority; and ſhould be ſo bold when he had done to come over and juſtifie his ſaid doings, notwithſtanding they proved unproſperous? Col. *Monck* being ſo much a Souldier as to know, *That* (all the world over) *to exceed the bounds of his Commiſſion* (much more to act againſt his Commiſſion, as in this caſe) *is aſſured death without mercy, both by the Law Martial* (without which Military Diſcipline will periſh) *and by the Laws of our Land.*

5. Wherefore was Sir *John Winter* and Sir *Kenelm Digby* ſent for over (as was foretold by an intercepted Letter, where-

See the ſaid Letter, printed at the latter end of *A Relation of the ſecuring and ſecluding of the Members by the Army.*

of Ihave formerly ſpoken) and *O Realy* the Popes Iriſh Agent, and an other Agent from *Owen Roe O Neal* privately entertained in *England* (as I have formerly hinted) but to drive on Treaties and Aſſociations of this nature? inſomuch that long ſince it was whiſpered amongſt *Cromwels* party in *England* (to uphold their ſpirits) *That upon his ſhewing himſelf in Arms in* Ireland, Ormonds *Catholick Iriſh party would all forſake him and go over to* O Neal, *who maintained the Popes Intereſt in that Kingdom.*

The aforeſaid paper printed by Authority, and ſtyled *The true State of the Tranſactions, &c.* beſides the ſaid *Articles of Ceſſation*, ſetteth down other Articles, called, *Nota.*

The *Propoſitions* of General *Owen O Neale*, the Lords Gentry, and Commons of the confederate Catholicks of *ULSTER*: To the moſt High and moſt Honourable, The PARLIAMENT of *ENGLAND.*

1. INprimis, *That ſuch as are already joyned, or ſhall within the ſpace of three Months joyn with General* Owen O Neale, *in the ſervice of the Parliament of* England, *in this Kingdome, as well Clergy, as others, may have all Laws and Penalties againſt their Religion, and its Profeſſors, taken off by Act of Parliament, and that Act to extend to the ſaid parties, their Heirs and Succeſſors for ever, while they Loyally ſerve the Parliament of* England. [*within the ſpace of three Months*] is not in the ſaid Copy printed at Cork.

2. *The ſaid General* O Neale *deſireth an Act of Oblivion to be paſſed, to extend to all and every of his party, for all things done ſince the beginning of the Year*, 1641.

3. *They deſire that General* Owen O Neal *be provided with a competent Command in the Army befitting his worth and quality.*

4. *They deſire that they may enjoy all the Lands that were, or ought to be in their, or their Anceſtors poſſeſſion.*

5. *That all incapacity, inability, and diſtruſt hitherto by Act of State, or otherwiſe, againſt the ſaid party, be taken off.*

6. That on both ſides all jealouſies, hate, and averſion be laid aſide, Unity, Love, and Amity be renewed and practiſed between both parties.

7. That General Owen O Neale *may be reſtored and put in poſſeſſion of his Anceſtors Eſtates, or ſome Eſtates equivalent to it in the Counties of* Tyrone, Ardmarch, *or* Londondery, *in regard of his merit, and the good ſervice that he ſhall perform in the Parliament of* Englands *Service, in the preſervation of their Intereſt in this Kingdome.*

8. That the Army belonging to General Owen O Neale, *and his party be provided for, in all points as the reſt of the Army ſhall be.*

9. That the ſaid party be provided with, and poſſeſſed of a convenient Sea-port in the Province of Ulſter.

I do upon receiving a confirmation of theſe Propoſitions, forthwith undertake and promiſe in behalf of my ſelf, and the whole party under my Command: faithfully and firmly to adhere to the State of the Parliament of *England* in this Kingdome, and maintain their Intereſt hereafter, with the hazard of our lives and fortunes:

In witneſs whereof, I have hereunto put my Hand and Seal this 8. *day of* May. An. Dom. 1649.

Signed, *Owen O Neale.*

Thus far the ſaid paper, ſtiled [*The True State, &c.*] goes on with the Relation of the ſaid Treaty and Agreement, but conceals what farther Tranſactions paſſed between *Moncke* and *O Neal* upon the laſt recited Propoſitions: Wherefore I ſhall be bold to continue the Story of a paper, entituled [*The Propoſitions of* Owen Roe O Neal *ſent to Col.* Monck, *and a Ceſſation*

The Story of the farther Tranſactions between *O Neale* and *Monck* continued and enlarged out of the *Propoſitions* printed at *Cork.*

ſation for three Months concluded between them. Together with a Letter thereupon ſent by a Gentleman at Dundalk, *to his Friend at* Cork. *Printed at* Cork, 1649.] The laſt recited Propoſitions were ſent to *Monck* 25. day of *April*, 1649. who peruſed them, and made ſome conſiderable Alterations in them, as appears by *Moncks* Letter of Anſwer thereupon to *Owen O Neale*, dated from *Dundalke*, 26. *April* 1649. as I find it in the ſaid paper printed at *Cork* in theſe words:

SIR,

I Have received yours of the 25. April, *and I have ſeen your Order given to Captain* Hugh Mac Patricke Mac Mahon *to Treat and conclude a peace with me in the behalf of your ſelf, and the Forces under your Command. I have peruſed your Propoſitions, and conceiving there are ſome particulars in them which at firſt view the Parliament of* England *may ſcruple to grant, I have made a ſmall alteration in ſome of them, being well aſſured, by it, you will not receive the leaſt diſadvantage, but it will rather prove a means to beget an increaſe of their good opinion towards you and your party; which I believe your reality, fidelity, and action in their Service will ſufficiently merit, and in caſe you approve of them, as I have reviſed and altered them, I deſire you to ſend them to me Signed and Sealed by you, that I may preſent them to the Parliament of* England, *to obtain their favourable Anſwer in return of them: And in the mean time I deſire that according to this incloſed paper, three Months Ceſſation between us to be condeſcended unto, and inviolably kept between our Forces during the ſame time.*

Dundalk, 26. April, 1649.

George Monck.

1. Obſervations upon *Moncks* letter.

1. Col. *Monck* in his ſaid Letter to *O Neale* 26. *April*, anſwereth him: 1. *That he had peruſed his Propoſitions, and conceiving there are ſome particulars which at firſt view the Parliament of* England *may ſcruple to grant, &c.* A gentle phraſe to nouriſh hopes in *O Neale* even of obtaining all his Demands (if need be) upon debate and deliberation, though not at firſt view. *That he hath made a ſmall alteration in ſome of them* (I confeſs very ſmall) *being well aſſured he ſhould not receive the leaſt diſadvantage by it, &c.* From whom had *Monck* this aſſurance, unleſs from thoſe Men by whoſe Authority and Directions (private or publick) he preſumed to Treat with that Enemy he was Commiſſioned to fight with, and whoſe Names he doth conceal? *That it* (yielding to *Moncks* amendments) *would rather prove a means to beget an increaſe of their* (the Parliaments) *good opinion of* Owen Roe O Neal *and his party, &c.* It ſhould ſeem then the Parliament had entertained a good opinion of *O Neale* and his party before hand; for every thing muſt have a being, before it can have an increaſe of being, *In caſe you approve of them* (the amended Articles) *I deſire you to ſend them to be ſigned and ſealed by you, that I may preſent them to the Parliament of* England *to obtain their favourable Anſwer in return of them, &c.* You ſee all *Monck* did was in reference to the Parliaments ratification; and therefore reaſon tells us the Parliament was originally privy to the Treaty: It is not likely *Monck* ſhould Treat upon his own head, and abruptly ſend the reſult of the Treaty to be confirmed by the Parliament without any warning foregoing to prepare them.

2. Obſervations upon the Propoſitions amended. See the ſaid Paper Printed at *Corke*, eſpecially *Moncks* Letter.

O Neale ſent his Letter and Propoſitions to *Monck*, Dated 25. *April*, 1649. *Monck* anſwered his Letter, and corrected *O Neales* Propoſitions the day after, being the 26. *April*.

And the laſt mentioned Propoſitions of Gen. *Owen O Neal, the Lords, Gentry, and Commons of the Confederate Catholiques of Ulſter, &c.* as well as the firſt mentioned Articles *for three Months Ceſſation, &c.* bear Date 8. *May*, 1649. which I conceive to be the Date given them when they were ratified by the Parliament, or Councel of State. See the ſaid Paper [*The true ſtate of the Tranſactions, &c.*] Then follows:

A ſecond Copie of *Owen Roe Oneales* Propoſitions as they were corrected by Col. *Monck*, and ſent to *Oneale* to be ſubſcribed: And then ſent by *Monck* to the *Parliament* to be granted: as followeth *verbatim*. Paper printe at Cork.

1. INprimis. *That ſuch as ſhall joyn with General* O Neal *in the Service of the Parliament of* England *in this Kingdom; may have Liberty of Conſcience for themſelves and their iſſue.*

2. *The ſaid General* O Neale *deſireth an Act of Oblivion be paſſed, to extend to all and every of his Party for all things done ſince the beginning of the Year*, 1641.

3. *They deſire that General* O Neale *be provided for a competent Command in the Army befitting his worth, place, and quality.*

4. *They deſire that they may enjoy all thoſe Lands that were in their poſſeſſion at the beginning of this War for themſelves and Heirs during their fidelity to the Intereſt of* England.

5. *That all incapacity, inhability, and diſtruſt hitherto by Act of State or otherwiſe, againſt the ſaid Party, be taken off.*

6. *That on both ſides all Jealouſies, hate and averſion be laid aſide; unity, love, and amity, renewed and practiſed between both Parties.*

7. *That Gen.* O Neale *may be reſtored and put in poſſeſſion of his Anceſtors Eſtate, or ſome other Eſtate equivalent to it, in regard of his merit, and the good Service that he ſhall perform in the Parliament of* Englands *Service in the preſervation of their Intereſt in this Kingdom.*

8. *That the Army belonging to the Gen.* O Neale *and his Party be provided for in all points as the reſt of the Army ſhall be.*

9. *That the ſaid Party be provided with, and poſſeſſed of a convenient Sea-port in the Province of* Ulſter.

And

See the Date in *The true ſtate of Tranſactions, &c.* It ſeems to be 8. *May*, 1649.

And I do, upon receiving a Confirmation of thoſe Deſires, undertake and promiſe in the behalf of my ſelf and the whole Party under my Command, faithfully and firmly to adhere to the Parliament of *Englands* Service in this Kingdom, and to maintain their Intereſt hereafter with the hazard of our Lives and Eſtates againſt all Oppoſers whatſoever.

Given under my Hand and Seal.

In the ſaid Paper, printed at *Corke*, is alſo contained. [*A Letter from a Gentleman in* Dundalke, *dated* May 20. 1649. which take here *verbatim*; that you may ſee what opinion Men there (u on the place) had of that buſineſs.

To my worthy Friend, at *Corke* in *Munſter*.

SIR,

YOu may wonder my Obligations being ſo great towards you, that my returns of acknowledgment ſhould be ſo ſeldom as they have been, but you muſt know there is no defect in my deſires to be at your eares often; 'tis only the preſervation of my Liberty and Safety in theſe parts that makes me forbear the frequencie of ſuch intercourſes. I am confident theſe Letters, this Meſſenger, and the incloſed papers which I here ſend you (containing a true Copie of the Propoſitions and Letters of Agreement between Owen Roe O Neale, *and Colonel* George Monck) *will be able to give you ſome account of the paſſages in theſe parts, and will make you aſſured that I do not forget the reſpects I owe unto you.*

I muſt confeſs to you that (as you ever conceived) I never could imagine that the Parliament proceedings would have advanced to ſo high a degree of rage and wickedneſs as I ſee now they are come to, and are reſolved to act by: but being amazed at the KING'S *Murther, and ſeeing the Gangrene doth ſo cruelly ſpread, I will impart to you my reſolution*

reſolution, That I am reſolved to get into your parts with the firſt convenience, and adhere to you there, whoſe actions are more conducing to the preſervation of our Religion, Law, and common Intereſt, then any where elſe that I can find. But that this my ſo ſudden reſolution may not be conceived the fruit of ſome vain fear, miſcarriage in my ſelf, or light deſires to abandon my former principles, I ſhall give you a right underſtanding of all the motions and paſſages of my ſoul, ſince I was acquainted with this late Treaty between Col. Monck, *and* Owen Roe O Neal, *that thereby you may judge of the ground of theſe my Deſigns and diſtaſtes, and my reſolutions taken thereupon.*

And before I conſider the particulars of the Treaty, the thing it ſelf is ſo odious to me, that if they could have made the beſt bargain to be imagined for the Engliſh Safety, the manner of it would have appeared to me very unſavoury.

For although it cannot be denied that almoſt the whole Iriſh Party (in regard of their Confederacies and Combinations) have not been innocent in all particulars of that vaſt Ocean of Engliſh Blood that hath been ſhed; yet it is moſt clear, that the Plotters and Contrivers of this Treaſon, and the unnaturall and butcherly Executioners thereof are that Party principally with are now Headed by Owen O Neal; *for, although many of the pale, with others of* Conaught, Leinſter, *and* Munſter, *entertained the Deſigne, when they ſaw it was ſo far ſpread, and the Engliſh ſo much weakned in their perſons and poſſeſſions, yet it cannot be denied but this Kingdom had ſtill many moderate-minded Men that loathed their Countrymens barbarity, and could never be drawn to adhere to their Party in their leaſt conſent.*

Now for the Parliament Agents to gather up theſe Men

(*and*

(and theſe onely) that have been drunk with the blood of their Brethren, and to fortifie them with Arms, Councels, and conjunction of Forces, that thereby they may preſerve to themſelves the Triumphs of their Cruelty and Treachery, and to lap them up in their affections with promiſes of reward, if they will perſevere to act with them the ruine of the KING and Monarchy, the deſtruction of the remnant of the Engliſh Proteſtants, and the ancient Iriſh who have now declared their Loyalty, and ſubmitted to, and conſociated with them, are things that I much loath, and can no way embrace.

Beſides, if you conſider the paſſages of the Treaty, you will eaſily be drawn (I ſuppoſe) to caſt away your former entertained ſcruples, and not condemn me for being out of love with mine.

1. *For firſt, The Title to* Owen Roes *Propoſitions excludes all other of his Nation but ſuch as will joyn with him, though they be far more capable of peace and pardon then himſelf or his party.*

2. *He and his party, who in a late paper of theirs ſtyled the Parliament of England,* Monſtroſum Parliamentum, *(the monſtrous Parliament) when (as then) it had not not beſmeared it ſelf with Royal, Sacred, and Noble Blood, as ſince it hath done: yet now where he ſees them act like himſelf, he hath taught his tongue to quaver, and calls them,* The moſt Honourable and Potent Parliament; *when all Honour is perſecuted by them, and no power exerciſed by them but brutiſh violence, and extream tyranny.*

2. *In the ſecond Propoſition: That an Act of Oblivion be paſſed to extend to all and every of* Owen O Neales *party for all things done ſince the Year* 1641. *You ſhall find that* Monck *approves of it totally, without the leaſt reſerve of puniſhment to any the moſt bloody plotters and*

mur-

Murtherers whatſoever that are in that Crew, which makes me more in love with my Lord of Ormonds *peace than I was before.*

4. *It is propounded by* Owen Roe, *and approved by* Monck, *That he ſhall have a Sea-port to himſelf, to make uſe of, for the perfecting of his deſigns, when (as we hear) the leaſt Traffick will not be allowed to you in* Munſter.

5. *Although Col.* Monck *do a little pare his Propoſitions concerning the Repealing of Statutes againſt Roman Catholicks ſince* Hen. 8. *leſt he ſhould offend the People: And though he do not abſolutely undertake to grant him his Anceſtors Lands, (which when he is once ſtyled* O Neale, *he will challenge to be the ſix eſcheated Counties) yet by* Monkes *Letter he is aſſured, that he ſhall not receive the leaſt diſadvantage thereby. All which directions, councels, and aſſurances (I am Confident) Col.* Monke *would not have uſed towards him, if he had not had a Parliament foundation to warrant it.*

Thus you ſee theſe Men who lately were utter Enemies, have confederated together to ruine Monarchy, and the Proteſtant Religion, meerly to raiſe themſelves, and ſupport their own Faction. They will not here allow the King *to make uſe of his own ſubjects to revenge His Fathers blood, to Re-inthrone Himſelf, to re-eſtabliſh Religion and the Laws, and the juſt Liberties and yet they allow themſelves a latitude of calling in any party, though the moſt bloody and inhumane, to aſſiſt them, in the carrying on their wicked Deſigns.*

We have ſeen Col. Jones *his Letters, cenſuring the Lord of* Ormond *for joyning the* Iriſh *to his party (though the beſt and leaſt culpable of them) and yet the ſame* Jones *(whoſe head and hand is in this Treaty and Concluſion) thinks it allowable in himſelf to cloſe with the*

worſt, and that upon his own terms. And though Col. Monkes *hypocriſie (in correcting* Owen O Neales *7. Article) will not allow that unity and amity ſhall be publickly proclaimed between them; yet he is willing it ſhall be practiſed, and they ſhall mutually aſſiſt one another againſt all Oppoſers whatſoever, that is, the* King, *and all in Authority under Him.*

The conſideration of theſe things hath left ſuch an impreſſion upon my ſoul, that I am reſolved to make ſpeed to you, no way deſiring to live under their Commands, whoſe actions increaſe in horror, and beget new afflictions to all honeſt Engliſh hearts. So praying you to forbear further writing to me, becauſe I mean ſpeedily to ſee you, I reſt

Dundalk, *May*, 20. 1649. Your aſſured Friend and Servant.

Upon which Propoſitions ſo corrected by *Monke*, and the cloſe carriage of this buſineſs, I ſhall trouble my Reader with theſe following Obſervations.

1. *Article.* You ſee the Counterfeit, Alchymy Saints, are content to joyn covertly with Maſſacring Iriſh Papiſts, to carry on their Antimonarchical Deſigns, and to make a falſe Religion and corrupt worſhip of God the wages and hyre of righteouſneſſe.

2 *Article.* You ſee thoſe Men that are ſo bloodily zealous to bring Proteſtant Delinquents (nay, the *King* himſelf, under the notion of *the Grand Delinquent, the Man of Blood*) to puniſhment, and pretend themſelves engaged by Oath ſo to do; can diſpenſe with the Maſſacre of *two hundred thouſand* Engliſh Proteſtants barbarouſly and inhumanely ſlaughtered in *Ireland* in time of full peace; and can grant an Act of Oblivion to whole Armies of their Murderers, thereby at once making their Antimonarchical intereſt the price for which they ſell the innocent blood of their Brethren, and defrauding the Iriſh Adventurers of that

that Money which the Parliament perſwaded them to lay forth to purchaſe Rebels Lands in *Ireland*, for which they have an Act of this Seſſions of Parliament.

The like may be ſaid of the 4. and 7. *Articles*, whereby Rebels attainted and convict are reſtored to their confiſcated Lands, and the Engliſh Proteſtant planters that purchaſed them of the Crown, are expelled out of their Inheritance; what is this but a deſign to root out Proteſtancy, as well as Monarchy?

5. *Article*. Taketh off all Incapacity, Inability, and diſtruſt from *O Neal* and his party at that very time when with much counterfeit zeal they pretend great ſeverity againſt the Engliſh Papiſts; I think becauſe they are not ſo very Rebels as the Schiſmaticks.

According to their uſual cuſtome, to accuſe other Men of their own Crimes, they charged King *CHARLES* the Firſt, (upon light ſurmiſes) *with complying with the bloody Iriſh Papiſts*, and do themſelves actually combine with them to root out Monarchy and Proteſtancy, giving them a *Toleration of their Religion, and the poſſeſſion of the Engliſh Proteſtants Eſtates for their Hyre.*

And it now appears by Letters newly come to *London*, the 14. *Auguſt* (notwithſtanding the ſaid Votes of the Commons *againſt all aſſociation with the Iriſh Murderers*,) That *Sir* Charles Coote, *and* O Neal, *are aſſociated*; *and that the Siege from* Londondery *was raiſed by* O Neales *help*, which plainly proves, that the Treaty and Conjunction was not only between *Monck* and *O Neal*, but between O *Neal* and the Parliament, or Councel of State; and that the ſaid Propoſitions ſo altered by *Monck* are confirmed by the Parliament, or Councel of State; and do ſtill ſerve for a foundation for *O Neale* to aſſiſt the Parliament upon, who have turned out *O Neal* at the Fore-door (to gull the People) and taken him in again at the Back-door.

4. See *the Perfect Occurrences*, nu 17. 138. from *Aug.* 17. to the 24. 1644

Cromwells Souldiers deſert him at *Milford-haven*, and upon his complaint his Houſe of Commons vote their Debentures void.

Many of K. *Olivers* Officers and Souldiers, abhorring the ſaid Aſſociation with *O Neale*, deſerted him at *Milford-haven* (as I have related) and came to *London*, whither they were purſued at the heels by a Letter from his Muſhrome Majeſty, directed to his Vice-Royes at *Weſtminſter*, *willing his Parliament* (*that ſince* (*to encourage the ſouldiers to undertake the Iriſh expedion onely*)

their Accounts had been Audited, and Debentures granted for their Arrears) they ſhould recall and null their ſaid Debentures. : In obedience to which Command, a thing like an Act of Parliament is drawn up, and order taken that the Commiſſioners that attend *Cromwel* into *Ireland* ſhould certifie the Names of them all to the Parliament, that they may be puniſhed in purſe, for not proſtituting their Conſciences, and ſhedding more innocent blood, with an implicite faith and blind obedience to K. *Olivers* unqueſtionable commands, in maintenance of uſurpation and lawleſſe tyranny. The reſt of the Army may ſee, by this precedent, they may as well hope to recover a damned Soul out of Hell, as their Arrears out of this bottomleſſe Gulph, the New State; (notwithſtanding all their fair promiſes, Orders, weather-cock Acts, and debentures, which are all written in waſte-paper, and as changeable as Tickets and Securities for the Publick Faith.) It being their conſtant reſolution and beſt policy to feed them (from time to time) with vain hopes, and a little ſpending-money (for which they are never the better) now a bit of money, and then a bob of Martial Law; and alwaies to promiſe, never to pay their Arrears, thereby to keep them together from Disbanding, and going to their own homes and callings; whilſt the Councel of Officers (who only are accounted the rational part of the Army) receive duly the hire of unrighteouſneſſe, and whatſoever elſe they can ſhark from the private Souldiers (who are looked upon but as the Brutiſh part of the army) in whom it is become a capital Crime to queſtion whether their Superiors deal juſtly with them or no? as is proved to *Lockyer*. The Common Souldiers, as well as the Common People, paying for the Ryot of their Colonels, and ſuperior Officers (who *Lord* it in their guilt Coaches, rich Apparel, coſtly Feaſtings (though ſome of them led Dray-horſes, wore Leather-pelts, and were never able to name their own fathers or mothers) I, and for the Lands they purchaſe too; yet the Officers have one device more to keep the Souldiers together, which is, They make them believe they are ſo genarally hated, they cannot with ſafety Disband and go home; whereas it is the Superiours onely that are looked upon with hatred as the authors of Tyranny and Oppreſſion: The Private Souldiers being eſteemed but their Inſtruments, and ſuch

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as (in their kind and way) are ſufferers under the hand of oppreſſion as well as other men; many Souldiers have been purged out of the army; others have voluntarily quitted the army and returned to their callings, without being endangered or injured after their retirement, which ſhewes this objection is but a Scar-crow.

207 A League Defenſive & offenſive concluded between *O Neale* and Sir *Charles Coote* Governour of *Connaught* for the Parliament: See the laſt Section ſave one.

For the clear manifeſtation of the aſſociation between *O Neale* and the Parliament, there are lately come to the Counſel of State two Letters out of *Connaught* from Sir *Charles Coote*; one Dated the 14. the other the 15. of *Auguſt*, 1649. informing them with how much zeal to the Parliaments Intereſt *Owen O Neal* had freely raiſed the Siege of *London-derry*. Upon which Letters, and the Votes and proceed of Col. *Pride*'s Parliament thereupon, I ſhall commend to my Readers obſervation theſe following particulars:

1. The 15. *Auguſt*, Letters inform, *that* O Neale *freely offered his aſſiſtance to* Coote, *profeſſing much affection to the Parliament of* England, *and an earneſt deſire to maintain their Intereſt, &c.* (which is, his own Intereſt) you may remember that this bloody Rebel *O Neale* heretofore (when the Parliament was not half ſo corrupt as now) ſtiled it, *Monſtroſum Parliamentum*, the Parliament of Monſters: but now that he ſees them act his way, and concur with him to deſtroy Monarchy and Proteſtancy, he ſtiles them, *The Honourable Parliament*, aids, and affects them.

2. The 14. *Auguſt* Sir *Charles Coote* informes, *that he hath found* O Neale *and his Army very punctual and faithfull in all their Promiſes and Engagements, and he makes no doubt but they will continue ſo until the end, &c.* The reaſon is, becauſe they aim all at one end and intereſt: Subverſion of Monarchy and Proteſtancy, and go one way to effect it, by a Conjunction of Forces and Counſels.

3. The 16. *Auguſt*, *that* O Neale *in his Expreſs to* Coote *encloſed ſome Letters he had received from* Monke; *and amongſt the reſt, a Copie of a Letter from* Monck *in Anſwer to a Letter of the Lord* Inchiquine, *charging* Monck *with joying with* O Neale *and his Party; wherein* Monck *inſinuating, as if* Oneale's *ſubmiſſion to uſe the Parliaments Power, were already accepted by them, &c.* Monck needed not inſinuate it, but might have ſpoken it plainly:

ly: as he hath done to ſundry of his Friends in *England*, who reprehended him for joyning with *O Neale*, to whom he Anſwered, *That he had the Authority of his Superiors to warrant his doings therein:* But this was before he went to *Milford-haven* to *Cromwel*, who then taught him the art of Cromwellizing to carry on their deſign.

Why did they cry out upon King *Charles* I. upon a furmiſe that He uſed the help of the more innocent *Iriſh* Papiſts, being His own Subjects under His Allegiance and Protection? but we find the Godly are above all laws.

4. The 15. *Auguſt*, *Coote's* Letter (to juſtifie his doings) delivers a piece of Doctrine to the Councel of State, the Uſe whereof they were very perfect in before, *viz. Calling to mind that it is no new thing, for the moſt wiſe God, to make uſe of wicked Inſtruments to bring about a good Deſign, for the advancement of his glory, &c.* This Caſuiſt n Buff had forgotten, That we muſt not do evil that good may come thereof; and that both the juſt and the unjuſt, the righteous and the unrighteous man being all of Gods Creation and making, he hath the ſame prerogative over them all *jure creationis*, that a Potter hath over his pots, he may uſe them, and doe with them what ſeemeth beſt to his moſt holy will: and it is therefore good, holy, juſt; becauſe he willeth it. His Divine pleaſure being the rule and Standard of goodneſſe, holineſſe, juſtice. Miſtake me not; I do not mean his bare providence, or permiſſive will, which no man can take notice of, and Traytors, Tyrants, Thieves, and Reprobate Saints execute, and boaſt of, to their own aſſured damnation. Therefore Gods imploying wicked Inſtruments can be no preſident for our Alchimy Saints to do the like; unleſſe *Cromwels* * three Juntoes and Faction will uſurp Gods prerogative, as they have done the Kings.

* Councel of Officers, of State, and Parliament.

5. The 15. *Auguſt*, the Letter ſaith, *that* Coote *called a Councel of War and reſolved, It was better to accept of the aſſiſtance of thoſe who proclaimed themſelves Friends to us, and the Intereſt we fight for, &c.* Here you ſee *O Neals* bloody Party and thoſe Parliament Champions united, and friendly conſpiring to uphold one Common Intereſt, which can be nothing but the downfal of Monarchy and Proteſtancy.

6. The 15. *Auguſt* the Letter further ſaith, *that we* (*Coote* and his Councel of War) *added to the Article this wary Proviſo, not to uſe their aſſiſtance longer than the approbation of the State of* England *ſhould goe along with us therein, &c.* It ſhould ſeem by this

this warineſſe, that for the time they had uſed their help (which was ever ſince the 22. of *May* laſt) the approbation of the ſaid State (as they call it) hath gone along therewith. And for the time they mean to uſe their aſſiſtance hereafter, it is left indefinite; (no longer than the approbation of the State ſhall goe along with us therein) which may happily be until Dooms-day: notwithſtanding the Order, Dated the 24. *Auguſt*, 1649. voting *That their Vote of the* 10. Auguſt, *in the Caſe of Col.* Monck, *be communicated to Sir* Charles Coote, *as the reſolution of the Houſe, &c.* For, who knows whether the Copies of that Vote may miſcarry, or be ſtayed by the way either accidentally or purpoſely?

7. The 14. *Auguſt*, the Letter ſaith, O Neale *was pleaſed to communicate to him certain Propoſals, which* (he ſaith) *were long ſince tranſmitted into* England *to the Parliament, by Col.* Monck, *and though for his own part and the prime Officers with him*, (theſe are privy to the ſecret carriage of the buſineſſe, and therefore may well be ſatisfied with what is done already) *they do not doubt but the Propoſals are already yielded to by the State; yet in regard their Army and party in all other parts of the Kingdom* (theſe are ignorant of the juggle, and cauſes thereof) *cannot be ſatisfied therewith, until the Parliament be pleaſed to declare themſelves more publiquely therein* (it ſhould ſeem they have done it privately already for ſatisfaction of *O Neale* and his ſaid prime Officers) *he hath therefore deſired me humbly to intreat your Lordſhips to declare your reſolutions therein, with as much ſpeed as may be.* Here you ſee *O Neale* and his prime Officers (who know the juggle) ſatisfied already with a private confirmation of the Articles. But to ſatisfie the reſt of his Army and party (to whom this myſtery is not yet revealed) a publick Declaration thereof is deſired, *that they may unanimouſly and cheerfully endeavour the preſervation of the Parliaments Intereſt.*

See *Monk*'s Letter of Anſwer to *O Neale*, Dated 26. *April*, 1649. from *Dundalk*, contained in the laſt foregoing Section but one: See the ſaid Paper, entituled, [*The Propoſitions of* Owen Roe *O Neale, ſent to Col.* Monck, *&c.* Printed at *Cork*, 1649.

The Articles of Agreement between *O Neale* and *Coote* conclude clearly a League or War Offenſive and Defenſive againſt the Enemies of both, or either, until a more abſolute Agreement be made and condeſcended unto by the Parliament of *England*. This more abſolute Agreement is now in agitation, and private Directions ſent to *Coot* how to behave himſelf in the Tranſaction thereof. See the 1 Vote, *die Veneris*, 24. *Aug.* 1649. See

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the Relation of the Tranſactions between Sir *Charles Coote* and *Owen Roe O Neal*, printed by Order 28. *Aug.* 1649.

The Votes upon theſe Letters and Articles were two: Upon part, in the firſt Vote I have obſerved ſomething already in the . branch of this Section (*viz.*) *that their Votes of the* 10. Aug. *in 'aſe of Col.* Monck *be communicated to* Coote; *and a Direction r him how to behave himſelf in the Tranſaction between him and* Owen Roe O Neale; this Tranſaction is called in the Article *t ſupra) a mere abſolute agreement.* Theſe Letters, Articles id Votes being Apologetically publiſhed for ſatisfaction of the ouldiery and People, it had been fit to have communicated the id Directions alſo to the Truſtors and Soveraign Lords the ople, that they might have ſeen fair play above board, and not have ſent clandeſtine Directions to *Coote* (in ſo ſuſpitious a ſineſſe) how to behave himſelf in the Tranſaction with *O Neal*, hich implies the ſaid Tranſaction ſhall be continued and ma e compleated; the rather for that their ſecond Vote ſaith, *The Houſe is well ſatisfied of the diligence, faithfulneſſe, and integrity o ir* Charles Coote *in preſerving the Garriſon of* London-derry ow it was preſerved by his ſaid Conjunction with *O Neale*, wh iſed the ſiege.

208. The Levellers vindicated: or, The Caſe of the twelve Troops, &c.

About this time came forth a Book, called [*The Leveller vindicated: or, The Caſe of the* 12. *Troops which (by Treachery in Treaty) were lately ſurprized at* Burford: *Subſcribed by Six Officers in the name of many more.*] Wherein (p. 2.) they ſay, *That under colour of the Armies ſolemn Engagement at* New-market *and* Triplo-heath, June 5. 1647. *and many other their Declarations Promiſes, and proteſtants in purſuance thereof* (which Engagement they affirm (againſt their Preaching Coronet *Denne*) was never retracted by any General Councel of the army, nor upon any petition of the Souldiers, nor their Agitators ever by them recalled or diſmiſſed) *The whole Fabrick of this Commonwealth is fallen into the groſſeſt and vileſt Tyranny that ever Engliſh men groaned under, all their Laws, Rights, Lives, Liberties and properties wholly ſubdued to the boundleſs wills of ſome deceitful Perſons, having devolved the whole Magiſtracy of* England *into their Martial Domination, &c.*

Pag. 7. They ſay, *That the Souldiers Paper-Debentures are good*

for nothing but to ſell to Parliament men for 3*s. or* 4*s. in the pound.* (which they are forced to ſell them for to keep them from ſtarving, becauſe they will not pay one penny Arrears to ſuch as they put out of the Army any otherwaies) that ſo they may rob the Souldiers of their ſeven years ſervice, and make themſelves and their Adherents Purchaſers of the Kings Lands, for little or nothing: and (for ought appears) the Money they buy theſe Debenters with, is the Money the Nation can have no Account of. That they have dealt as baſely with other Souldiers who never reſiſted their Commands. 1 They turned them off with only two months pay. 2. They have taken away three parts of their Arrears for Free-quarter, without ſatisfaction to the Country. And at laſt force them to ſell their Debentures at the aforeſaid rates, that thoſe Souldies that are continued in Arms ſhall fare no better, when they have ſerved their turns with them.

Pag. 10. they ſay, *Their Engagement againſt the King was not out of any Perſonal enmity, but ſimply againſt his Oppreſſions and Tyranny on the people; but the uſe and advantage on all the ſucceſs God hath been pleaſed to give us, is perverted to that end, that by his removal the ruling Sword-men might intrude into his Throne, ſet up a Martial Monarchy, more cruel, arbitrary, and tyrannical, than* England *ever taſted of, and that under the notion of a Free-State, when as the people had no ſhare at all in the conſtitution thereof, but by the treachery and falſeneſs of the Lieutenant General* Cromwell, *and his Son in Law* Ireton, *with their faction, was enforced & obtruded by meer Conqueſt on the people.* And a little after, *now rather than to be thus vaſſalized, thus trampled and trod under foot by ſuch as over our backs have ſtepped into the Chair of this hateful Kingſhip over us in deſpight of the conſent, choice, and allowance of the Free-people of this Land, the true fountain and original of all juſt Power* (as their Votes againſt Kingly Government confeſs) *we will chuſe ſubjection to the* Prince, *chuſing rather ten thouſand times to be his Slaves than theirs, &c.*

Pag. 11. They Vote and Declare, *The People the Supreme Power, the Original of all juſt Authority, pretend the promotion of the Agreement of the people; ſtile this, The firſt year of* Englands *Freedom; entitle the Government, A Free State; and yet none more bloody violent and perverſe Enemies thereto; for, not under pains of death*

and confiſcation of Lands and Goods, may any man challenge or promote thoſe Rights of the Nation, ſo lately pretended by themſelves. nothing but their boundleſs, lawleſs wills, their naked Swords, Armies, Arms is now Law in England, *&c.*

209. Col. *Morris* Governour of *Pontefract* for the King, Endicted at the Aſſizes at *York*, condemned and executed

16. *Auguſt*, 1649. Col. *Morrice* (who kept *Pontefract Caſtle* for the *King*) was Endicted before Judge *Thorp* and *Pulleſtone* at *Yorke* Aſſizes upon the *Stat.* 25 *Edw.* 3. *for leavying War againſt the late King and Parliament.* The Collonel challenged one *Brook* (Foreman of the Jury) for being his profeſſed Enemy, but the Court (knowing *Brook* to be the principal Verb, the Key of their work) anſwered, *Morrice*, He ſpake too late, *Brooks* was ſworn already. *Brook* being asked the Queſtion, whether hee were ſworn or no: replied, he had not yet kiſſed the Book. The Court anſwered, It was no matter, that was but a Ceremony, alleadging he was recorded Sworn, there was no ſpeaking againſt a Record; Sure they made great haſte to record him ſworn before he could kiſſe the Book; ſo *Brook* was kept in upon this cavil, by whoſe obſtinacy, *Morrice* was condemned. I cannot wonder that legal Forms and Ceremonies are laid by (although juſtice cannot ſubſiſt without thoſe Legalities to aſcertain her proceedings, which otherwaies would be left at large to the diſcretion of the Judge) when I ſee our known Laws, *Magna Charta*, *the Petition of Right.* 3. *Carol.* and the reſt, with the fundamental Government of this Nation pulled up by the roots to carry on their Deſigns of enſlaving the people to their luſts, notwithſtanding the Parliaments Declarations, Remonſtrances, Proteſtations, Covenants, and Oaths to the contrary, and their late Vote in the Act for Aboliſhing Kingly Government. That in all things concerning the Lives, Liberties, Properties and Eſtates of the People, they would obſerve the known Laws of the Land. But to return to our Relation: Then *Morrice* challenged 16. more of the Jury, where *Pulleſton* was ſo pettiſh, that he bad *Morrice* keep his compaſſe, or elſe he would give him ſuch a blow as ſhould ſtrike off his head. Until *Morrice* cited the *Stat.* 14 *Hen.* 7. *fol.* 19. whereby he might challenge 35. men without ſhewing cauſe: Here you ſee the Judges (which ought to be of Councel with the priſoner in matter of Law) endeavouring to out-face, and blind the priſoner with ignorance

of

of the Law, being a Martial-man. Then he deſired a Copy of his *Endictment*, that he might know what to anſwer, ſaying, he might plead Special as well as General, which the Court denied him. Next becauſe there was point of Law in it, he deſired to have Councel, citing the *Stat.* 1 *Hen.*7 *fol.* 23. which was likewiſe denied him; yet (I am deceived, if *Rolfe* had not Councel allowed him, being endicted at *Wincheſter* for *an endeavour to murder* King *CHARLES the Firſt*) and had many other favours, denied to *Morrice*. Then Col. *Morrice* for his diſcharge produced the *PRINCES* Commiſſion as *Generalliſſimo* to the *KING* his Father. The Judges anſwered, The Prince was but a Subject as *Morrice* was, and if he were preſent muſt be tried as he was, and rejected the Commiſſion without reading: *Morrice* told them, the Prince had his authority from the King, in whoſe name all Judges and Officers did then Act. The court anſwered, the power was not in the King, but the Kingdome. Obſerve, they indicted him for Leavying War againſt the King, and Parliament. The word [*Parliament*] was a ſurpluſage; for which no Indictment could lye: no Allegiance, no Treaſon; and we owe Allegiance to the King alone; whoſoever Leavieth War in *England* (in the intendment of the Law) is ſaid to Leavy War againſt the King onely; although he aim not at his Perſon, but at ſome other Perſon: And if he that Leavieth War againſt the King, his Crown, and Dignity, be a Traytor; how much more muſt they be Traytors that have actually murthered the King, and Diſ-inherited and proſcribed his lawfull and undoubted Heir; and (as much as in them lies) have ſubverted the Monarchical Government of the Land, and conſequently all Monarchical Laws; whereof the *Stat.* of *Treaſons* for Leavying War againſt the Kings Majeſty is one; and therefore *Morrice* under a Free-State ought not to be condemned or tried upon any Monarchical Law. So *Morrice* was found guilty by a Jury for that purpoſe. And an illegal preſident begun to cut off whom the Faction pleaſeth, under a pretence and form of Law, without help of a Councel of War, or a private Slaughter-houſe, or a midnight-Coach guarged with Souldiers to *Tyborne*. Theſe Uſurpers have got the old tyrannical trick, *To rule the People by the Laws, but firſt to over-rule the Laws by*

their Lawyers; and therefore, *Ut rei innocentes pereant, ſiunt nocentes judices*; that true men may go to the Gallows, Thieves muſt ſit on the bench; but, *ſilent Leges inter arma*; and now, *ſilet Juſtitia inter Leges, ſilet Jus inter Judices*: The mungrel, hypocritical, three-headed conqueſt we live under hath diſpoyled Juſtice of her ballance, and left her in a Military poſture, with a Sword to ſtrike, but no ſcales to weigh withall: Our licenſed News Books (like Ill-Boding-Birds) fore-told and fore-judged *Morrice's* death a month before, *He died reſolutely*. Obſerve the thing aimed at in this new form of Endictment of High Treaſon, for leavying War againſt the King and Parliament, is, firſt that the word [*King*] may hold in the Endictment, which otherwiſe would be found to have errour in it; and though the word [*for Leavying War againſt the Parliament*] be a vain ſurpluſage, ſignifying nothing; yet at laſt (by help of their own Judges, and new-made preſidents) to leavy War againſt the Parliament, ſhall ſtand alone, be the onely Significator, and take up the whole room in the Endictment, and thruſt the word [*King*] out of doors; and then *Treaſon* ſhall be as frequent as *Malignancy* is now. *Morrice* had moved, he might be *Tried* like a Souldier by a councel of War, alleadging the inconvenience of ſuch a preſident if the Kings Party ſhould retaliate it, which would not be granted; yet Col. *Bethel* writ to the General, and his Councel of War, deſiring he might be reprieved: but Col. *Pride* oppoſed it, urging, *That it would not ſtand with the juſtice of the Army* (you ſee now who is the fountain of Juſtice) *nor the ſafety of the Commonwealth, to let ſuch Enemies live, the Parliament having adjudged him worthy of death*, (without hearing) *and given inſtructions to the Judges accordingly*. (O ſerviceable Judges!) ſo the General was overborn by this Drayman. This fellow ſitteth frequently at the ſeſſions houſe in the *Old Bayly*, where the weight of his Slings turneth the ſcale of Juſtice which way he pleaſeth.

Three headed conſiſting of, 1. Councel of War. 2. Councel of State. 3. Parliament.

210. Cap. *Plunkett* and the Marqueſs of *Ormonds* brother voted to be Tryed.

Col. *Pride's* Dray-horſes, the Commons in Parliament aſſembled, not yet ſatisfied with Blood, becauſe they are out of danger of bleeding themſelves, have voted that Capt. *Plunkett* and the Marqueſs of *Ormond's* Brother (Priſoners in *Ireland*) ſhall be brought to *Trial*. If the Kings Party (in imitation of their Cruelty)

Cruely) ſhall put to death the Priſoners they have taken, the Parliament will ſave their Arreares for their own privy purſe: *Theſe two caſes, are examples of the greateſt danger, and the higheſt contempt of Souldiers that ever were ſet on foot in any Age or Nation.*

29. *Auguſt*, 1649. came forth a Book, called, [*An out-cry of the yong Men and apprentiſes of* London. Or, *An Inquiſition after the loſt fundamental Laws and Liberties of* England.] truly and Pathetically ſetting forth the ſlavery, miſery, and danger of the Common Souldiery and People of this Nation, and the cauſes thereof: well worth the reading. 211. An out-cry of the young men and apprentices of *London* concurring with thoſe falſly called Levellers.

About this time came forth an Act (forſooth) for the ſpeedy raiſing and levying money upon the Exciſe: that is, (as the Act telleth you) upon all and every Commodities, Merchandizes, Manufactures, as well imported or exported as made or growing, and put to ſale or conſumed, &c. That is, to lay impoſitions upon all we eat, drink, wear, or uſe, as well in private houſes as victualling houſes, ware-houſes, cellars, ſhops, &c. as well what the Souldier devours in Free-quarter upon us, as otherwiſe, under unheard-of penalties, both pecuniary and perſonal to be paid, and levied with rigour. And to make every mans houſe lie open to be ſearched by every prowling Raſcal as often as he or they pleaſe. 212. Exciſe.

The Traytors, Tyrants, and *Thieves*, the commons in Colonel *Prides* Parliament aſſembled, are now again frighted into a conſideration of Forraign Plantations: And paſſing Acts, *That they ſhall all be ſubject to the new* Babel, *or State of* England: for which purpoſe they are very buſie to undermine, divide, and ſubject the old and firſt Planters, that (if need be) theſe reprobate Saints may come in upon their labours, and the better to accommodate themſelves there. In the Act for the ſale of Kings, Queens and Princes Perſonal Eſtate, they have given leave to their Agents the Commiſſioners to tranſport beyond ſea (that is to ſay, to their own Plantations) (under pretence of ſale) the rareſt and choiſeſt of the Kings Goods; they heap up abundance of wealth by Exciſe, Taxes, Goldſmiths-hall, Haberdaſhers-hall, Sequeſtrations, cozening the Souldiers, &c. That they may tranſport the whole wealth of the Land with them, and leave *Eng-* 213. Forrain Plantations.

land naked, diſarmed and oppreſſed with famine, and diſabled to purſue them for revenge, or recovery of their loſſes.

214. More gifts to the Faction.

The ſaid Commons are never wearied with exerciſing their bounty amongſt their own Faction out of the publique purſe, about 1300l. to Col. *Fielder*: to *Scobell* their Clerk (heretofore a poor under-Clerk in the Chancery, who writ for 2d. a ſheet) beſides an imployment he hath already in the ſale of publique Lands worth 1000l. a year) a Penſion of 500 a year; and a Noble Fee for every Copy of an Order taken forth, *toties quoties*; although moſt of their Orders contain not above three or four lines; an extortion far ſurmounting the Star-Chamber, or Councel-Table, of which themſelves ſo much complained: the *Diurnal* tells you, *an Act was read for ſatisfying the ſufferings of two Members, who have been in the late War damnified many thouſands*: theſe (I conceive) to be *Tho*: *Jervys* and Mr. *Robert Wallop*; this ſatisfaction muſt be made out of the publique purſe, which muſt be filled by *Taxes* again out of their private purſes who have loſt as well as they without ſatisfaction, or hopes of ſatisfaction, notwithſtanding many Votes that all ſhould be ſatisfied.

Numb. 319. from Monday Sept. 3. to Monday, Sept. 10.

215. *O. Cromwell* reduceth *Jones's* own Regiment and other Regiments in *Dublin*. Let Sir *C. Coote* and his Regiment in *London Derry* expect the like

O Cromwell hath reduced the Officers in Col. *Jones* his Regiment, and other *Dublin* Regiments, notwithſtanding their valour and fidelitie ſhewn in raiſing the Siege of *Dublin*: you ſee he will truſt none but his own immediate Creatures: this Faction caſts out all other men, as Quickſilver ſpues out all other mettals (Gold excepted) ſo that by this, and many other examples, they may ſee that all their faithfull ſervices and blood-ſhed are poured into the bottomleſſe tub of oblivion; as their Arrears are caſt into the bottomleſſe bagg of the Publique Faith.

216. A violent irruption of the Parl. Janiſaries upon the Proteſtants at Church in St. *Peters-Pauls-wharf* Sunday morn. 9 Sept. 1649.

Sunday 9 *Sept.* 1649. At the Church of Saint *Peters Pauls-wharf*, Maſter *Williams* reading morning Service out of the Book of Common-prayer, and having prayed for the KING, as in that Liturgy (eſtabliſhed by Act of Parliament) he is enjoyned: Six Souldiers from St. *Pauls* Church (where they quarter) came with Swords and Piſtols cocked into the Church, commanding him to come down out of the Pulpit; which *Williams* immediately did, and went quietly with them into the Veſtry: when

when preſently a party of Horſe from St. *Pauls* rode into the ſaid Church with Swords drawn and Piſtols ſpanned, crying out, *Knock the Rogues on the Head, ſhoot them, kill them*; and preſently ſhot at randome at the crowd of unarmed Men, Women, and Children, ſhot an old Woman into the head, wounded grievouſly above forty more, whereof many are likely to die, frighted Women with Child, and rifled and plundered away their cloaks, hats, and other ſpoils of the Ægyptians, and carried away the Miniſter to *White-hall* Priſoner. You ſee theſe Hereticks, Schiſmaticks, and Atheiſts, that cry ſo loud upon *Liberty of Conſcience* for their own Blaſphemies, will allow no Liberty of Conſcience to Proteſtants, notwithſtanding their Doctrine and Form of Service is ancient, allowed, and commanded by known Laws, and approved of by all the Reformed Churches of Chriſtendom. This ſtrongly argues a deſign in the three Kingdoms to root out Proteſtancy, as well as Monarchy, carried on by a conjunction of Councels and Forces between that Triumvirate of Rebels, *O Neal*, *O. Cromwell*, and (as many wiſe men think) *Argile*: who would not otherwiſe keep the Scots from complying with the *KING* upon modeſt and moderate terms, ſuch as ſhall leave him in the condition of a Governing King, able to protect his people from injuries at home and abroad, without which he is but—*magni nominis umbra*, the ſhadow and May-game of a King. Obſerve, this provocation was put upon the City when an Artificial Mutiny was raiſed at *Oxford*; and againſt the Great Horſe-race appointed to be at *Brackley*, the 11. *September*, to draw both City and Country to joyn with the Mutineers: and then the Souldiers ſhould have made their peace by themſelves, and have left the reſt to the mercy of the State, to raiſe more money upon them for *O. Cromwells* expedition in *Ireland*, who writ for more Recruits of men and money.

This mutiny was not begun by Levellers.

Thoſe bloody Saints that accompanied *O. Cromwell* into *Ireland* (to make that Kingdome as miſerable and ſlaviſh as they have made this) doe now poure forth the blood of their own bowels in great abundance: Gods vengeance having viſited moſt of them with the bloody flux; wherefore many die: But this is a ſecret that muſt not be known to the Ungodly, and therefore *O. Cromwell* and his Councel of War at *Dublin* have made

217. *O. Cromwell's* men ſick in *Ireland.*

an Order, Declaring, *That if any Perſon reſiding within the Garriſon of* Dublin, *whether Inhabitants or Souldiers, ſhall (upon pretence of writing to their Friends) ſignifie the Tranſactions of the Army* (between *O Neal* and *O Cromwell*, it may be) *or their Engagements with the Enemy, ſo as to ſet forth their Succeſs, or Loſs, until firſt the General or Councel of War have ſignified* (ſatisfied *the ſame to his Parliament of* England) *they ſhall incur the breach of the Article againſt Spies, and be accordingly puniſhed with Death, &c.* Here you ſee *O Cromwell*, in the firſt Year; nay in the firſt Moneth of his reign, ſets up a military tyranny in *Ireland*, to which all People, as well not Souldiers as Souldiers, muſt ſubmit their lives and fortunes, and the writing of news to their Friends of *England* (whereby their Lies and Forgeries may chance to be contradicted) ſhall be conſtrued to be a Breach of the Article againſt Spies: not becauſe Reaſon and Truth, or the Cuſtoms of War calls it ſo, but becauſe the Sword puts this conſtruction upon it. Take notice *Ireland* that this is the firſt year of thy Bondage if they prevail. And take notice *England*, that *O Cromwell* and his Councel and Party are reſolved to Lie without controul if they prevail not; their Letters ſpeak him to be 15000 ſtrong before *Tredah*, which hath Articled to yield: That the next he will vouchſafe is *Dundalke*, and that *Ormond* flies from the face of this *Joſua*; and lying Prophets are ſent over to gull the people into a belief. But the truth is, he is not able to draw together above 4000 or 5000 men, unleſs his Confederate *O Neale* joyn with him: And *Ormond* hath wit enough to know that ſickneſs and famine in that waſted Country, are ſufficient to deal with *O. Cromwel* without his running the hazard of an engagement with ſuch deſperate forlorn wretches.

218. Unreaſonable Fees extorted by *Birkhead* by Dures of Imprisonment; with the connivance of the Commons.

Col. *Bromfield*, *Hooker*, *Cox*, and *Baynes*, Citizens, who the laſt year were committed upon ſuſpition of High Treaſon (to which every offence againſt this new *Babel-ſtate* is now wreſted (notwithſtanding the *Stat.* 25 *Edw.* 3. for limitation of Treaſons) as in an infectious ſeaſon all diſeaſes turn to the plague) and were then diſcharged for want of matter to make good the Charge: are now again impriſoned (in the firſt year of *Englands* Liberty) at the requeſt of *Birkhead* (Sergeant at Armes to the Commons) untill they pay ſuch unreaſonable Fees as he pleaſes

ſes to exact from them: This had been great Extortion and Tyranny in the *KINGS* time, when this Nation enjoyed ſo much freedome as to call a Spade a Spade; an Extortioner, an Extortioner; and a Tyrant, a Tyrant. And reaſon good; for if ſuch Fees be legally due, *Birkhead* hath Legal means to recover them; if not Legally due, it is Extortion in him to demand them in ſo violent a way; and Tyranny in his Maſters the Commons to maintain him in it.

219. Sir *Har. Mildmay*'s Politick Obſervations, Chaſte Converſation, and firſt initiation at Court.

Sir *Henry Mildmay* lately coming to the Tower, and perceiving the Counteſs of *Carliſles* window had ſome proſpect to Col. *Lilborns* Grates (out of his paraſitical diligence) told the Lieutenant of the Tower, *That notwithſtanding the diſtance was ſuch as they could not communicate by ſpeech, yet they might ſignifie their intention, by ſigns upon their fingers, to the prejudice of the tender infant State*; and accompanying this admonition with ſome grave and politick Nods, haſted away to the Councel of State, and (being both out of breath and ſenſe) unloaded himſelf of his Obſervations there; and was ſeconded by *Tho. Scot* (the Demoliſher of old Palaces, and Deflowrer of young Mayden-heads, before they are ripe) who much aggravated the danger, and applauded the Obſervator. Sure Sir *Henry* hath not yet forgot the bawdy Language of the hand and fingers; ſince he firſt, in Court began, to be Ambaſſadour of Love, Procuror, Pimp or Pandor to the Duke of *Buckingham*; and laboured to betray the honour of a fair Lady (his neareſt Ally) to his Luſt, had not ſhe been as Vertuous as he is Vitious (if it be poſſible for any Woman to be ſo) and did actually betray others to him. I can tell you that very lately Sir *Harry* (pretending himſelf taken with the Wind-collick) got an opportunity to inſinuate himſelf into a Citizens houſe in *Cheapſide*, and tempted his Wife; but had a ſhameful repulſe: but more of this I will not ſpeak, leſt his Wife beat him, and give an ill example to other Women, to the prejudice of our other New States-men, and their New erected *Sodomes* and *Spintries* at the Mulbury-garden at St. *James*.

220. Felons fetched out of *Newgate* to inform againſt Merchants for not paying Cuſtome

Maſter *Gybs* (Maſter of a Ship) having cauſed three fellows to be committed to *New-gate* upon Felony, for Robbing him: Theſe Fellows ſent to Col. *Harvey*, *That if he would procure their Liberty, they would diſcover to him ſeveral Merchants who had*

lately ſtoln Cuſtomes: Whereupon, *Harvey* ſends for thoſe Rogues out of *New-gate*, hears their Accuſation, approves it, proſecutes the Merchants upon the Information of thoſe Villains, diſcharges them of their Impriſonment by his own power, and recommends them to Col. *Deane* to be imployed in the Navy. And one Maſter *Lovel* a Silk-man in Saint *Lawrence-lane*, is committed to the *Gate-houſe* Priſoner, becauſe he refuſeth to ſwear how many Bayls of Silk he hath come over: If the firſt year of our Liberty make ſuch preſidents, what Monſters will the Sixth and Seventh year produce? All princes begin with moderation: The Elders gave good Counſel to *Rehoboam, Serve the People one day, and they will ſerve thee for ever hereafter. Nero* had a commendable *Quinquennium*; But our Novice Statiſts are Tyrants *ab incunabilis*; Oppreſſors with ſhels upon their heads, from the Neſt, before they are fledge; what will they be hereafter?

221. *Sommer-hill* given to *Bradſhaw*. A ſop for *Cerberus*.

Sommer-hill, a pleaſant Seat, worth 1000l. a year, belonging to the Earl of Saint *Albans*, is given by the *Junto* to their Blood-hound *Bradſhaw*, ſo he hath warned the Counteſs of *Leiceſter* (who formerly had it in poſſeſſion to raiſe a Debt of 3000l. pretended due to her from the ſaid Earl, which ſhe hath already raiſed four-fold) to quit the poſſeſſion againſt our *Lady-day* next.

The Proteſtation and Declaration.

222. THe Premiſes conſidered, *I do hereby in the name and behalf of my ſelf, and of all the Free people of* England, *Declare and Proteſt, That the General Councel of War, and Officers of the Army, by their ſaid violent and treaſonable force upon the far major, more honeſt and moderate part of the Houſe of Commons (being above 250.) and leaving only fifty or ſixty Schiſmaticks of their own engaged Party ſitting and voting under their Command, and almoſt all of them ſuch as have and do make a prey of the Commonwealth, to enrich themſelves and their Faction, have broken, diſcontinued and waged War againſt this Parliament, and have forfeited their Com-*

Commiſſions. And the remaining Faction in the Houſe of Commons by abetting, aiding, and concurring with the ſaid Councel of War, in the ſaid rebellious Force, and by ſetting up new, illegal and arbitrary Courts of Judicature to Murther King CHARLES *the Firſt, our lawfull King and Governour (who by his Writ (according to the Law) ſummoned and authoriſed this Parliament to meet, ſit, and adviſe with him, and was the Fountain, Head, and concluſion, or ſummatory end of the Parliament, and Supreme Governour over all Perſons, and in all Cauſes of this Kingdom) and by Aboliſhing the Houſe of Peers and the Kingly Office, and Diſ-inheriting the Kings Children, and Uſurping to themſelves the Supreme Authority and Legiſlative Power of this Nation, in order to make and eſtabliſh themſelves a Councel of State, Hogen Mogens, or Lords States General, and tranſlate the ſaid Supreme Power, and Authority into the ſaid Councel of State, and then Diſſolve this Parliament, and perpetuate their ſaid Tyranny and this Army, and Govern Arbitrarily by the Power of the Sword; and raiſe what illegal Taxes they pleaſe, and eat out, conſume and deſtroy whoſoever will not baſely ſubmit to their Domination: Have by the aforeſaid ways and means totally ſubverted this Common-wealth, and deſtroyed the fundamental Laws, Authority and Government thereof, Diſſolved and Aboliſhed this, and all future Parliaments, ſo that there is now no viſible, lawfull Authority left in* England, *but the Authority of King* CHARLES *the Second, who is actually* KING *of all his Dominions preſently upon the Deceaſe of the King his Father, before any Proclamation made, or Coronation ſolemnized, notwithſtanding that by his unjuſt Baniſhment (cauſed by the interpoſition of the ſaid trayterous, combined, Antimonarchical Faction) He be eclipſed for the preſent, and not ſuffered to perform any Acts of Government to his three Kingdoms, and reſtore Peace, Plenty, Juſtice, Mercy, Religion, Laws, and Liberties to them again, which no hand but his own can beſtow; and therefore in vain do the people long for, and expect Figgs from Thiſtles, Grapes from Thorns, This Kingdome of the Brambles now ſet up, being onely able to ſcratch and Tear, not to protect and Govern them. I farther Declare and Proteſt, That this combined trayterous Faction, have forced an* Interregnum *and a* Jultitium *upon us, an utter ſuſpenſion of all Lawful Government, Magiſtracy, Laws and Judicatories; ſo that we have not* de jure, *any Laws in*

Principium Caput & finis Parliamenti.

Oaths of Allegiance and Supremacy.

See 1. part. ſect. 105, 106. and the Concluſions, 15, 16, 17, 18. and return to ſect. 79, 109, 110.

Stat. of Recognition, 1 *Jac.* Oaths of Allegiance and Supremacy.

force to be executed, any Magiſtrates or Judges Lawfully conſtituted to execute them; any Court of Juſtice wherein they can be judicially executed, any ſuch Inſtrument of the Law as a lawful Great Seal, nor any Authority in England *that can lawfully Condemn and Execute a Thief, Murderer, or other Offender, without being themſelves called Murtherers by the Law, all legal proceedings being now* coram non Judice; *nor can this remaining Faction in the Houſe of Commons ſhew any one Preſident, Law, Reaſon, or Authority whatſoever for their aforeſaid doings, but onely their own tyrannical Votes, and the Swords of their Army: Wherefore I do further Declare and Proteſt before God and the World, That all Free-born Subjects of the Kingdoms of* England and Ireland, *are bound by the* Stat. of Recognition, 1 Jac. *and by all our Laws and Statutes, by their Oaths of Allegiance, Obedience and Supremacy, the Proteſtation and National Covenant, by very many Declarations, Remonſtrances, Petitions, and Votes of this Parliament, and all Souldiers are engaged alſo by their own Declarations, Remonſtrances, and Propoſals, to defend, aſſert, and vindicate with their Lives and fortunes, the Perſon, Authority and Title of our aforeſaid lawfull* KING *and Supreme Governour (the undonbted Heir of all His late Fathers Dominions)* CHARLES *the Setond, by the Grace of God, King of* Great Britain, France *and* Ireland, *&c. againſt all Oppoſites and pretended Authorities whatſoever, unleſs they will be guilty of the fouleſt ſins of Treaſons, Rebellion, Perjury, and perfidiouſneſs againſt their God, their King and Country; and of proſtituting the Religion, Laws, and Liberties of the Land, their Wives, Children, and Eſtates to the luſts of an Armed Faction, uſurping a far more Arbitrary and Tyrannical Power over our Conſciences, Perſons, Liberties, and Eſtates, then ever was known in* England *before, or then is now uſed by the* Ruſſe, Turk, *or* Tartar, *or any the moſt enſlaving and lawleſs Tyrants under Heaven.*

223. Compare the date of the K. Commiſſions with thoſe of the Parliament, and their Declarations on both ſides.

An Exhortatory Concluſion to the Engliſh Nation.

TO conclude, the ſeries of Affairs and Action on both Parties (eſpecially of late) rightly compared, it appeareth by the ſequel, That *King* CHARLES the Firſt, from the beginning

ginning took up defenſive Armes to maintain Religion, Lawes, Liberties, and the ancient fundamental being of Parliaments and this Kingdom: and that there always was, and now eſpecially is, a predominant Faction in Parliament (notwithſtanding their frequent Declarations, Remonſtrances, Petitions, Proteſtations, Covenant, and Votes to the contrary) conſpiring with a Party (eſpecially of Commiſſioned Officers of the Army) without the Houſes to Change the fundamentall Lawes and Government of the Church and Common-wealth, to uſurp into a few hands the Supream Authority, to enſlave the People with an Olygarchical, Military, and Arbitrary Government, to raiſe what illegal Taxes they pleaſe to eſtabliſh their tyranny and enrich themſelves and their Party, to oppreſſe, conſume, and devour all men of a judgement contrary to their intereſt; to Murder them by new-declared arbitrary Treaſons, contrary to the *Stat. 25. Edw. 3.* for aſcertaining Treaſons; to Diſfranchiſe them of their Birth-rights, and make them *Adſcriptitios Glebæ*, Villains Regardant to their own Lands, which the Nobility, Gentry, and Yeomanry plough, ſow and reap, whilſt Brewers, Draymen, and Coblers, eat, drink, and play upon the ſweat of their labours; and are the Uſufructuaries of their Eſtates. All which they have lately brought to paſs; wherefore let all true Engliſhmen (as becomes good Chriſtians, good Patriots, and gallant men) claim their Birth-rights, and with own voice cry out,

1. *We will not Change our Ancient, ſetled and well approved Laws to which we are Sworn.*

2. *We will not Change our Ancient and well-tempered Monarchy to which we are Sworn.*

3. *We will not Change our Religion for New Lights and Inventions.*

4. *We will not ſubject our ſelves to an eighth part of one Eſtate or Houſe of Parliament, ſitting under a force, and having expelled two hundred and fifty of their Fellows (more Righteous then themſelves) by force, and uſurping to themſelves the Supreme Authority.*

5. *We will not be ſubjected to a new Supreme Authority uſurped by forty ambitious, covetous Tyrants, arrogating to themſelves to be a Councel of State, and deſigned to ſupply the room of Parliaments, under what name or Title ſoever they maſk themſelves.*

6. *We will not ſubmit our ſelves to a Military Government, or Councel of Officers.*

See the Stat. of Recogniti-on, 1 *Jac.* and the Oaths of Allegiance, Obedience, and Supremacy.

7. *We muſt and will have* A KING, *and* The KING *whom the Laws of God and this Land have Deſigned to us, we being by the Oaths of Allegiance, Obedience, and Supremacy ſworn to bear Faith and true Allegiance to King* CHARLES *the Firſt his lawful Heirs and Succeſſors.*

Hic telum infigam, moriárque in vulnere——

Poſtſcript.

READER, at the latter end of my Firſt part of *The Hiſtory of Independency*, I have preſented to thy conſideration, ſome General Concluſions ariſing out of the Premiſes; the ſame Concluſions do as naturally ariſe out of the Premiſes of this Second part of the Hiſtory: and doe as aptly ſerve to illuſtrate this Second, as that Firſt part; wherefore to that Firſt part I ſend thee for opening thy underſtanding.

When our old Laws run again into their Ancient Channcel, and the Sword of Murder is ſheathed, and the Sword of Juſtice drawn; the Author engageth to publiſh his Name and Apologie, *and ſhew* what he hath done and ſuffered for the Parliament and Kingdome.

THE END.

THE High Court OF JUSTICE,

OR

CROMWELS New Slaughter-Houſe in

ENGLAND.

With the Authority that Conſtituted, and Ordained it.

Arrained, Convicted, and *Condemned,*

FOR

Uſurpation, Treaſon, Tyranny, Theft, and Murther.

Being the Third Part of the *Hiſtory of INDEPENDENCY,* Written by the ſame Author.

LONDON,
Printed for *R Royſton,* at the Angel in *Ivie-lane.* 1660.

Plin. Paneg. ad Trajanum.

Olim criminibus, jam legibus laboratur; & metuendum eſt, ne legibus fundata Reſpublica, ſit legibus everſa.

Iſaiah 59. verſ. 3, 4

Your hands are defiled with blood, and your fingers with iniquity, your lips have ſpoken lyes, your tongues have muttered perverſneſs. None calleth for Juſtice, nor any pleadeth for truth; they truſt in vanity and ſpeak lies, they conceive Miſchief, and bring forth Iniquity.

Verſe 7.

Their feet run to evil, and they make haſt to ſhed innocent blood; their thoughts are thoughts of iniquity, waſting and deſtruction are in their paths. The way of peace they know not, and there is no judgement in their goings.

Verſe 11.

We look for Judgemnt, but there is none; For ſalvation, but it is far from us.

Verſe 14.

Judgement is turned away backward, and Juſtice ſtandeth afar off; For truth is fallen in the ſtreets, and Equity cannot enter.

THat every thing is kept and maintained by the ſame ways and means it was got and obtained, is a rule true both in Philoſophy and Policy. And therefore Dominion gotten by fraud and force, muſt by fraud and force be preſerved. Things impiouſly got, muſt be impiouſly kept. When uſurped Tyranny layes its foundation in blood, the whole Superſtruction muſt be built with Mortar, tempered with blood. One ſin muſt defend and make good another. And hence ariſeth a Neceſſity upon Ambitious men to ſtanke and fortifie one Crime with another. But to plead this Neceſſity, which they have ſo wilfully drawn upon themſelves, in juſtification of their wicked Courſes. To expect ſubmiſſion, obedience, and an equal engagement from men uninterreſſed therein; and to entitle the Divine Providence and unrevealed Will of God thereto (in oppoſition to His Will revealed and declared in the Scriptures, as is now adays uſed) is to accuſe the Holy Ghoſt of our Sins, and an Hypocriſie ſo impudently infull and damnable, that I doubt no Age but this (the Dregs and Lees of time) ever gave an example of the like.

unumquodque conſervatur eodem modo quo fit.

TO illuſtrate my firſt Maxime by ſome forreign Examples (before I lay the Baſtard at our own Doors) *Sylla* at *Rome*, by the power of the Sword, *proclaimed* (or voted) *himſelf Dictator, to make good which uſurpation with a Mask of Authority, he compelled the Senate* (or *Parliament*) *to approve of all his forepaſſed Villanies*, Murthers and illegal Acts, *and to conferre a power upon him*; To kill whom he pleaſed and confiſcate their Eſtates; To build and deſtroy Cities; Diſpoſe Kingdomes: *And exerciſe an Arbitrary, Supreme Authority, and then (to eſtabliſh himſelf in his*

ſelf-created power) he poſted up at Rome, *and in moſt Cities of* Italy, *Bills of Proſcription or Outlawry, containing the names of ſuch perſons, as (without any form of Law or Juſtice) he appointed to be ſlain* by his Souldiers. *Theſe Proſcribed men were (for the moſt part) ſuch as having ſome ſparks of* Roman *vertue in them, durſt love the ancient Government, Lawes and Liberties of* Rome, *and were therefore thought fit to be weeded out, as Malignants againſt his Innovations and arbitrary courſes.* Yet many meane-ſpirited fellowes, were proſcribed and murdered, partly for Confiſcation of their Eſtates, and partly to gratifie the malice and hatred of particular friends, who (in that carnage) prayed in aid of *Syllas* ſword to rid them of their Enemies.

After this *Auguſtus Caſar* at *Rome*, having by terror of Arms made himſelf Conſul, and finding himſelf not ſtrong enough ſingly to ſubjugate his Country, he called *Antonius* and *Lepidus* to joyn with him, with whom entring into confederacy to ſubvert the fundamental Government, and uſurp the Supreme Authority; they divide that vaſt Empire between them, and *paſſed a Decree amongſt themſelves, that they ſhould be called the Triumvirate for Reforming and Re-eſtabliſhing the Common-wealth* (well enough before if they had let it alone) *with Supreme Authority* to give Eſtates and Offices to whom they thought fit, without asking the advice of Senate or people. They *appointed what Conſuls, Magiſtrates and Officers they pleaſed.* They deſigned rich donatives, and 18. of the chief Cities of *Italy* to be given to their Souldiers; if, by their valour they ſhall obtain victory over *Brutus* and *Caſſius*. *They fixed publick liſts or Tables of Proſcription, naming ſuch perſons as they expoſed to ſlaughter.* They proſcribed at one time 130. Senators, at another time 150. and 2000. Knights. *Whereby the beſt men for underſtanding, Conduct, Reſolution and Affection, being cut off,* the reſt (terrified by their example) became but *Terra Maledicta* (as Hymicks call it) dull liveleſſe Aſhes or clods of Earth, without power

power or vertue to quicken them, or make them productive. After ſome revolutions, wherein *Auguſtus* and *Antonius* had diſcarded the dull and ſtupid *Lepidus*, and (at laſt) *Auguſtus* had ſubdued *Antonius*: *Auguſtus* uſurped the Title of *Tribune of the People*, whereby his Perſon became ſacred and inviolable; and (humouring the irrational Animals) took upon him the ſpeciall Protection of that Britiſh Herd, the Raſcal Multitude, the Tribunes of the people having been originally inſtituted to Protect the people. His next ſtep was to make himſelf *Perpetual Dictator*, whereby he arrogated to himſelf a vaſt unlimited power above all Lawes. The Tribuneſhip was his Buckler. The Dictatorſhip was his Sword. And laſt of all (for Ornament onely) *He having already full power of an abſolute Monarch (although he forbore the Title of (King) becauſe it was hatefull to the people*, and againſt the Laws even ſince the *Regifuginm*) he took upon him the Title of *Princeps Senatus*, or *Preſident of the Senate*; to keep a correſponding power over that great Counſel or Parliament: And finally uſurped the Title and Office of *Imperator* or *Generaliſſimo* of all Forces by Land and Sea, Garriſons, *&c.*

Philip King of *Spain*, Lord of the 17. Belgick Provinces, by ſeveral Titles, and under ſeveral limitations, Privileges, Exemptions and Fundamental Lawes, according to which he was to govern, and they to obey: Reſolving to ſubvert the Fundamentall Lawes and Govern nent, and reduce thoſe ſeventeen petty Signiories into one meer abſolute Monarchy, ſent the Duke *D'Alva* thither (a Warriour of a reſolute ſtern nature) Governour, with a powerful Army; Who taking advantage of ſome rude Commotions formerly raiſed by the Proteſtants, in throwing down Images, and Sacrilegiouſly plundring Churches; *erected a new Tribunal Criminal, or (to ſpeak in our modern uncouth Language) A high Court of Juſtice*, conſiſting of 12 Commiſſioners or Judges purpoſely choſen, moſt of them hangers-by of the Law, of mean

In nevum regnum vi armiſque partum redigere, atque aliis Novis legibus domare ac gubernare Belgium. *Meteran. in anno 1567.* *Roidan in an. 1566.* *John Fraunces Petit.* *Thuanus.*

mean fortunes, practice, birth, and breeding; Covetous, Ambitious, and ſlaviſhly addicted to the Spaniſh Faction. To theſe was given by ſpecial Commiſſion full Power and Authority to enquire into, and judge (or to hear and determine) the forepaſſed Commotions, whereupon *they ſtiled this Court*, Concilium Turbarum, *but the multitude called it* Concilium ſanguinis, *or the Bloody Conventicle.* This Councel or Inquiſition did ſuperſede or extinguiſh the authority of all other Courts of Judicature, and make void all Laws, Conſtitutions, Juriſdictions, and Priviledges of the Nation, as to the aforeſaid commotions, and all other cauſes they pleaſed to call High Treaſon. *They had no other bounds nor limits in their proceedings, then what they prefixed to themſelves in certain Articles.* Some few whereof I will here preſent unto my Reader, becauſe *they judged of High Treaſon by thoſe Articles, not by the known Laws of the Land (a thing very obſervable and applicable to my purpoſe) ſo that they were not only Judges,* Leges dicere, *but alſo Law-makers,* Leges dare: *as all Judges are who take upon them a liberty to obſerve no ſet forms of proceedings, but as their own pleaſure.*

Petitioning againſt Innovations in Government, and for the known Laws made Treaſon, the like

1. *Article.* All Petitions heretofore tendered to the States, or Cities Corporate againſt the erecting of new Epiſcopal Sees: or againſt the Holy Inquiſition: or requiring a Moderation of Decrees or Acts of State, Parliament, are accounted meer conſpiracies againſt God and the King.

the Parliament practiſeth againſt ſuch as petitioned for peace by accommodation. And againſt our High Court of Juſtice, Arbitrary Impriſonments and Taxes.

2. *Art.* All Nobles, Gentry, Judges, Magiſtrates, and all others who connived at Heretical Sermons, plundering of Churches, and delivering ſuch Petitions as aforeſaid, pretending the neceſſity of the times, and did not reſiſt and oppoſe them.

3. Art.

3. Art. *Whoſoever affirms that all His Majeſties Subjects* f Belgia *have not forfeited their ancient Priviledges, im-* munities *and laws for Treaſon : and that it is not lawful for* he *King to uſe and handle them for the aforeſaid Treaſons as* e *pleaſeth,* to prevent the like Treaſons for the time to ome, and that the King is not abſolved thereby from all Oaths, Promiſes, Grants, Contracts and Obligations what-oever.

We have forfeited our laws by conqueſt, or elſe our Grandees would not paſs the two Acts for Treaſon, 14. *May,* 17. *July,* 648. nor erect the High Court of Juſtice, and aboliſh our ancient laws and govern-ent. See *Pol.* 3. *Oct.* 1650. and the Caſe of the Kingdome ſtated.

4. Art. *They that affirm this Councel or High Court of Juſtice exerciſe Tyranny in their Proceedings, or Judgements ;* nd *that they are not Supreme and competent Judges in all auſes* Criminal and Civil.

Compare this with the two Acts for New Treaſons, 14. *May,* 17. *July,* 1649. and the Act 26. *March,* 1650. and Sir *John Gells* Caſe ſtated.

5. Art. *Thoſe that in caſe of Hereſie deny, that all manner* f *Informers and Witneſſes of whatſoever Degree and condi-* ion *they be, are to be credited :* and that upon the Teſtimony f any two witneſſes, this High Court ought to proceed to udgment, Execution, and Confiſcation of life and goods, *ithout publiſhing the cauſe or charge, and without any legal form* f *Trial.* All theſe are guilty of High Treaſon againſt God nd the King.

Our High Court of J exceeds all this. See S *John Gells* Caſe ſtate Printed *An* 1650.

The Rigour, Cruelty, and Injuſtice of this New erected Counſel of Blood, or High Court of Juſtice, enforced the Low Countries to revolt and caſt off the King of *Spain.*

LEt us now examine whether in ſome one little Provinc or Iſland belonging to that vaſt Roman Empire : and in ome mean petty fellows (Natives of that Iſland) men even t home of obſcure Birth, Breeding, and Fortunes ; we can-

not

not finde examples of Ambition, Uſurpation, and Tyranny, as high and tranſcendent, as bloody and deſtructive, as covetous and greedy, as any of the fore-recited preſidents: And (which is worſt of all) carried on by thoſe that call themſelves Chriſtians, nay Saints, (which is more then they vouchſafe to Saint *Peter* and the reſt of the Apoſtles, though glorified Saints in the Church Triumphant) and ſuch as in all their bloody, oppreſſing, cheating Deſigns (promoted by Perjury, Treachery, breach of Faith, Oaths, and publick Declarations) pretend to the ſingular favour, Providence and will of heaven, as confidently, as if they could ſhew Gods ſpeciall Commiſſion, to warrant Uſurpation, Treaſon, Tyranny, and Thievery.

It is not unknown by what Artifices, frauds, falſified promiſes, Oaths, and Covenants, *a party of Antimonarchiſts, Schiſmaticks*, and *Anabaptiſts* lurking in the Parliament *fooled the People to contribute their blood and money towards the ſubduing of the King (and in him of themſelves)* and how by the ſame wayes and ſubtilties the ſaid party in the two Houſes (now combined openly, under the Generall Title of *Independents)* engaging and conſpiring with the Officers of the Army and Souldiery, *expelled by armed force ſeven parts of eight of the Houſe of Commons*, leaving not above 43. or 44. of their own engaged party ſitting, (men enriched with publick ſpoyls) and *voting under the power of the Armies Commanders, whoſe commands are now become a law to the ſaid ſitting Members, as their Votes are become Laws to the Kingdome.* In Obedience to their ſaid Maſters of the Army, The ſaid remainder of Commons voted down the Houſe of Lords (though an integral and principall Member of the Parliament of *England*, far antienter than the Houſe of Commons, and having a power of Judicature to adminiſter an Oath (which the Houſe of Commons never had, nor pretended to have, untill this time that they overflow their Bounds, and the whole Kingdomes, under the protection of their Army) which

which prerogative of the Houſe of Lords is clearly demonſtrated by the Houſe of Commons ſtanding bare before them at all conferences, as the Grand Inqueſt doth before the Judges) becauſe they rejected the Ordinance for Triall of the King. And *now theſe dregs and Lees of the Houſe of Commons take upon them to be a compleat Parliament*: To enact and repeal Statutes; To ſubvert the Fundamental Government, Laws and Liberties of the Land; To pull up by the Roots without Legall proceedings, every mans private property and poſſeſſion, and deſtroy his life: To burden the people with unſupportable, unheard-of, unparliamentary Taxes, Impoſitions, Exciſe, Freequarter, buying of New Arms after the Countrey have been diſarmed of their old Arms three times in one year; Preſſings and Leavying of Souldiers, Sequeſtrations, Plundering of Houſes and Horſe, and many other oppreſſions, more than the *Turke*, *Ruſſe*, or *Tarter* ever heard of: of all which our *Grandees* are free, and lay them upon others as partially as they please, purpoſely to conſume them. To make Religion but a talking horſe to their Deſigns, and the Miniſters thereof but hoſtlers to rub down, curry, and dreſſe it for their riding; to whom they ſend Commands, what they ſhall, and ſhall not preach to the people; as if preaching were the Ordinance of man, not of God. At laſt by way of preparative to their machinations, they paſſe theſe following Votes.

In their Tax Rolls they uſually ſet in the Margent to every name private notes of diſtinction, an M. an N. or P. The letter M ſtands for Malignant; he that is ſo branded is highly taxed, and his complaints for redreſſe ſlighted. N. ſtands for Neuter, he is more indifferently rated, and upon cauſe ſhewn, may chance to be relieved. The letter P. ſignifies a perfect Parliamentarian: He is ſo favourably taxed, as he bears an inconſiderable part of the burden: and that they may the better conſume with Taxes and want, all ſuch as do not concur with them in the height of their villanies. The pretended Parliament are now debating to raiſe the monethly Tax to 240000 lib. or to deprive every man of the third part of his Eſtate, both Real and Perſonall, for maintainance of their immortal Wars, and ſhort lived Commonwealth. Beſides Exciſe, Cuſtomes, Tonnage and Poundage, Free-quarter, finding Arms and Horſes, and the ſale of Corporation Lands now in agitation. Whileſt our Grandees enrich all the Banks of Chriſtendome with vaſt ſummes raiſed by publick Theft and Rapines.

1. *That all Supreme power is in the people.*

2. *That the Supreme Authority under them, is in the peoples Repreſentatives, or delegates in Parliament aſſembled.* Meaning themſelves (you may be ſure) the Quinteſſence and Elixar of the Houſe of Commons, extracted by thoſe learned Chimicks, Doctour *Fairfax*, Doctour *Cromwell*, and the reſt, graduated at that degraded Univerſity of *Oxford*. Here note they voted the Supreme power to be in the people, that they might uſe thoſe Gulles as Conduit pipes or Trunks to convey the Supreme Authority into themſelves, the better to enſlave the people; And *Tickle them, whileſt they faſten about their necks the Iron yoke of a Military Oligarchy, wearing the Maſk of a perpetual Parliament.*

3. *That whatſoever the Commons in Parliament ſhall enact, ſhall have the power and force of an Act of Parliament, or Law, without the conſent of the Houſe of Lords, or the Kings Royall Aſſent; any ſtatute, Law, cuſtome or uſage to the contrary notwithſtanding* (they might have ſaid all our ſtatutes, laws, cuſtomes, *&c.* notwithſtanding) This one vote hath more of *Diſſolution* and more of *Uſurpation* and *Innovation* in it, than any I yet ever read of; *This is univerſally Arbitrary, and layes the Ax to the root of all our Laws, Liberties, Lives, and properties at once.*

What theſe men will, they vote:
What they vote is Law.
Therefore what they will is Law.

That to wage war, or to bear Arms againſt the Repreſentative body of the People, or Parliament is high Treaſon. By the Law all Treaſons are committed againſt the King, his Crown and Dignity.

5. *That the King hath taken up Arms againſt this Parliament, and is therefore guilty of all the blood ſhed this War, and ſhould expiate thoſe crimes with his blood.* If the King were

were not guilty, theſe men are; And therefore they paſſed this Vote, *Se defendendo.* Yet obſerve that herein they became Judges in their own cauſe, and forejudged his Majeſty before his Trial, if that may be called a Trial, that was carried on by men, who were both Accuſers, Proſecuters, parties and Judges; and had neither Law, preſident, formality of proceedings, nor any other foundation of Juſtice or Reaſon to warrant them, nor were delegated by any lawfull Authority?

Theſe Votes thus paſſed, and by this kind of men, were the foundation upon which they built their great Engine to deſtroy the King and Kingly Government, together with the Religion, Laws, Liberties, Lives, and properties of the people; all condemned in that deadly ſentence given againſt the King. For having (as aforeſaid) created (by their own Votes) themſelves as abſolute a power as they pleaſed, and caſt the people and all they have into that bottomleſs Chaos of their Arbitrary Domination: They erect an Extrajudiciall, unpreſidented High Court of Juſtice to Try (or rather to condemn without Trial) the King, conſiſting of 150. Commiſſioners, Souldiers, Parliament men, Trades men; the moſt violent, engaged and factious incendiaries of all the Antimonarchical faction: Amongſt whom were many low conditioned Mechanicks, and Banquerouts, whoſe Fortunes are ſince repaired out of the Kings Eſtate, and other publick Lands, Goods, and Offices, as a reward for that Royal Blood they ſpilt. The King the Fountain of Law, Juſtice, Mercy, Honour, War, and Peace; the Head of the Parliament, and Supreme Governour over all perſons, and in all cauſes. Thus violently removed; preſently (as if the Mounds and banks of the Sea had been overturned) an impetuous inundation of bloody, thieviſh Tyranny and Oppreſſion brake in upon us: So that no man can call his life, liberty, houſe, lands, goods, or any other his Rights, or Franchiſes his own, longer then the gracious aſpect of ſome of our Grandees ſhine favourably upon us.

See Stat. Recognition 1 *Jac.* The Oaths of Allegiance, Obedience and Supremacy, and all our Law-books.

In the next place: contrary to their own Declarations of the 9. *Feb.* and 17. *March* 1648. Wherein they promiſe that in all things concerning the lives, liberties, and properties of the people, they will obſerve the known laws of the Land, with all things incident thereto, *They paſs mis-begotten Acts of Parliament, one of the* 14. *of* May, *another of the* 17. *of* July, 1649. *whereby* (in derogation and annihilation of that excellent Stat. 25. *Ed.* 3. Chap. 2. Aſcertaining Treaſons, and reducing them to a ſmall number, and leaving nothing to the interpretation of the Judges, that the people might not be enſnared: *they exceeding by multiplying Treaſons, bringing bare words as well as deeds within the compaſs of that offence: and making many duties to which the law of God and the land, the Proteſtation and Covenant, the oath of allegiance, obedience, and ſupremacy oblige us, to be high treaſon, and theſe new acts of treaſon penned in obſcure, ambiguous terms, purpoſely to leave a latitude of Interpretation in (their own creatures) the Judges, that the People may be enſnared.*

This Stat. 15. *Ed.* 3. c. 2. *S. Johns* againſt *Strafford*, cals the ſecurity of the people. And the Stat. 1 *Hen.* 4. cap. 10. *Ed.* 6. cap. 12. 1. *Mariæ* 1. ratifie and highly commend.

The King thus taken out of their way, They paſſe pretended Acts, 1. *To diſinherit his Children.* 2. *To aboliſh Kingly Government for ever.* 3. *To convert our ancient well-tempered Monarchy into that* which they call a *Commonwealth, or Free-State*; although nothing be therein free but their luſts: nor hath it any form or face of Civil and juſt Government; wherein a confuſed Multitude rule by their own Wills, without Law: and for their own benefit; no conſideration being had of the good and happineſſe of the people in general. 4. *They Conſtitute a Senate, or Councel of State of* 40. *men* (amongſt which ſome Tradeſ-men, Souldiers, illiterate Lawyers, Parliament-Members, men already engaged over head and eares in ſin, therefore to be confided in)

They have converted our ancient Monarchy into a Free-ſtate; and tell us they are the State. They tell us they have beſtowed Liberty upon the people; but they and their faction onely are the people: All the reſt of the Engliſh Nation are annihilated, and reduced to nothing, that theſe fellows may become all things: Meer ciphers, ſerving onely to make them of more account. And this groſs fallacy muſt not be diſputed againſt, leſt their New Acts of Parliament call it Treaſon.

in) to these or any nine of these they entrust the administration of this Utopian Common-wealth, and these they would have us believe (without telling us so) are the Keepers (or Gaolers) of the Liberties of *England*.

These things being but Introductions to the Usurpation of these Kinglings: and having been already shewed to the world by many pens. I content my self to give a curory view of them, and hast to my intended task, to shew hat this Usurped power is kept and administred by as wicked and violent policies, as it was gotten by.

The first endeavour of all Tyrannical Usurpers is, To ssen the number of their Enemies; either by flattering nd deceiving them: or by violently extirpating and rooting them out. And such have been the attempts of our ew *Cromwellian* Statists, ever since (without any calling om God or the people) they took upon them the Supreme uthority of the Nation; subverted our well-mixed Monarchy, and created themselves a Free-State.

1. They endeavoured to sweeten and allure to act with em, as many of the Secured and Secluded Members, Misters, and other Presbyterians, as they could, to the end hat *ex post facto* being guilty of their sins, they might be ngaged in one common defence, and go halfs with them in eir ignominy and punishment, though not in their power, ofit, and preferments, in which the Godly will admit no ivals, but (like their Patron the Devil) cry all's mine. But his Design failed for the most part. 1. A Colluſive Accommodation.

2. Their second Endeavour was how to diminish the numer of their Opposites, Royalists and Presbyterians, by a lassacre, for which purpose many Dark Lanthorns and oniards were provided last Winter, 1649. But fame prented this plot: which coming to be the common rumour f the Town, put them in mind of the danger, infamy and atred that would overwhelm them. So this was laid aside. An intended Massacre.

At last they invented two other Engins, no lesse bloody then nd as effectual as a Massacre.

3. The Engage-ment.

3. The Engagement is the firſt of theſe two Gins, whi all perſons are enjoyned to ſubſcribe by their Act 2. *Janu 1649. To be true to the Common-wealth of* England, *as it now eſtabliſhed, without a King, or Houſe of Peers.* And t is obtruded under no leſſe penalty, then, To be totally d prived of all Benefit of Law whatſoever. Now the La of the Land being the only Conſervators of our Lives, I berties and Eſtates, (without which Laws all men have like property to all things, and the ſtrongeſt have right all is poſſeſt by the weaker; ſince the Law onely diſtinguiſ eth *Meum* and *Tuum*) what is this but to expoſe the Libe ties of the Non-Engagers to falſe Impriſonments; o Eſtates to rapine, ſpoil, and injuſtice: and our Lives a Perſons to wounds and murders, at the will and pleaſure ſuch as will engage with our Uſurpers: but eſpecially at t pleaſure of their own Souldiers: to whom (I conceive) t Outlawry was intended as an Alarum or Invitation to plu der and maſſacre the Non-Engagers, and to pay themſel their Arreares (of which theſe Parliament men have cou ned them) out of their Eſtates, and though the Souldi were not ſo wicked as their Maſters, yet we daily ſee ma good Families in *England* deſpoiled of their Eſtates, i want of protection of the Laws, brought to miſerable b gery, rather then they will wrong their conſciences by ſu ſcribing this damnable Engagement, contrary to the Pro ſtation and Covenant impoſed by this Parliament, contr to the known Law of this Land, which this Parliament h declared to obſerve and keep in all things concerning lives, liberties, and properties of the people, with all thi incident thereto; contrary to this Parliaments reitera Votes, that they would not change the Ancient Gove ment, by a King, Lords and Commons. And contrar the Oathes of Allegiance, Obedience, and Suprema whereby (and by the Stat. of Recognition, 1 *Jac.*) our *legiance* is tied onely to the *King*, his *Heirs* and *lawfull S ceſſors*; from which no power on earth can abſolve us,

ſo much we atteſt in the Oath of Supremacy. *Politicus* (Interpreter to our new State-puppet play) *Numb.* 19. from *Sept.* 19. to *Sept.* 26. out of the dictates of his Maſters tells us, that in anſwer to the Kings Act of oblivion granted, the Parliament intends to paſs an Act of General pardon; for which they expect in future a General obedience and ſubmiſſion to the Government (you ſee though they will not be the Kings ſubjects, they will be his Apes) and in the beginning of the ſaid Pamphlet, *Politicus* ſaith, That Protection implies obedience, otherwiſe they may be handled as publick Enemies and Out-laws, and ought to be deſtroyed as Traitors. Here you have the end to which this generall pardon is intended; it is but a ſhooing-horn to draw on the utmoſt penalty upon Non-engagers, appointed by the ſaid pretended Act 2. *Jan.* 1649. to weed them out of this good Land, that the Saints only may enjoy the earth and the fullneſſe thereof; to which purpoſe all their new coyned Acts and Laws are directed. The Scripture points forth theſe kind of men, when it ſaith, *The Mercies of the wicked are cruel.* The ſum of all is, If we will not acknowledge Allegiance to theſe Muſhromes, we ſhall be Traitors without Allegiance (a Treaſon never yet heard of in any Law.) If we will acknowledge Allegiance, we put our ſelves in a capacity to be Traitors, when they ſhall pleaſe to make us ſuch. But let them know, That we are all Engliſhmen, Free-born alike, under the protection of an ancient, legal Monarchy, to which we owe Allegeance; and how we come to forfeit that legal Protection, our ſetled Laws and Government; and be ſubjected to a New, unknown protection obtruded upon us by a company of upſtarts (Muſhromes of Majeſty, ſo mean in birth and breeding (for the moſt part) that the place of a Conſtable equalls the higheſt of their education) impoſing what Laws and conditions upon us they pleaſe; I would be glad to hear without being hindred by Guns, Drums, High Courts of Juſtice, and other Inſtruments of Violence and Murther. But the greateſt Miſtery in this cheat

cheat is, That our Self-created Supremists, having voted the original power to be in the people, and but a derivative authority to be in themselves as the Representative of the people, should notwithstanding so yoak their Sovereign Lord the people, and make them pay Allegiance to their own Delegates (the eighth part of a House of Commons) under the penalty, unless they subscribe) as the far major part have not) of out-lawing and depriving all the people of this Land of all benefit of the Laws they were born to; and consequently of annihilating and making them no longer a Nation or people. As if they were meer Salvages, newly conquered, collected and formed into a politick body or Common-wealth, and endowed with Laws newly invented by the Novice Statists. But the unlawfulness of the said Engagement with the Injustice of the Self-created power that obtrudeth it hath been handled by many good pens, especially by the *Cheshire* and *Lancashire* Ministers in their plea for Non-subscribers. Therefore I pass on to my principal scope; *The second Engine appointed to root out all such as are of a different party, the High Court of Justice.* A formidable Monster, upon which no pen (that I know of) hath yet adventured.

The High Court of

4. In treating of the High Court of Justice, I must consider, 1. *By what persons and Authority* this new erected unpresidented Court is constituted? 2. *Of what persons it is constituted?* 3. *The way and manner of their proceedings?* What Formalities and Laws they observe therein? How suitable to the known Laws of the Land, and the Parliaments Declarations, Protestations, and Covenant they are? 4. *To what end this Court is constituted?*

1. *The Persons constituting* this extrajudicial Court are the present pretended Parliament, consisting of forty or fifty th iving Commons only, who conspired with *Cromwell* and the Army to expell seven parts of eight of their Fellow-Members, without any cause shewn, abolished the House of Peers, erected this High Court of Justice (*in nature*

nature of a Court Martiall) to murther the King, aboliſhed Kingly Government, turned it into a thing they call a *Free State*, diſinherited the Royall Family, *and now uſurp to themſelves (without any calling from God or the People) more than a Regall, Legal, or Parliamentary Authority*, wherewith they have ſubverted the Fundamentall Government, Religion, Laws, Liberties and Property of the Nation, and envaſſallized and enſlaved them to their Arbitrary Domination; the authority by which they erect this extrajudiciall Court is, *The uſurped, Legiſlative power*; by colour of which they paſſed an Act dated *26. March.* 1650. eſtabliſhing the ſaid High Court of Juſtice. *Yet their own creature Maſter* St. Johns, *in his Argument againſt the E. of* Strafford (in a Book called Speeches and Paſſages of this great and happy Parliament, printed by *William Cooke*, 1641. pag. 24.) ſaith, *The Parliament is the Repreſentative of the whole Kingdome, wherein the King as head, The Lords are the more Noble, and the Commons the other Members, are knit together as one body politick; The Laws are the Arteries and Ligaments that hold the body together.* (And a little after) *Its treaſon to embeſel a Judiciall Record*, Strafford *ſwept them all away. Its treaſon to counterfeit a 20 s. piece*; here is a counterfeiting of Law (ſo in theſe counterfeit new Acts) we can call neither the counterfeit nor true one our own. *Its treaſon to counterfeit the great Seal for an acre of land*, no property hereby is left to any land at all (no more is there by the Votes and practiſe of our new Supremiſts (thus far Mr. St. Johns.) *But that the Parliament doth neceſſarily conſiſt of the King and the two Houſes aſſembled by his writ, and can paſſe no Act without their joint conſent.* See the preambles of all our Statutes, all our Parliament Records, all our Law books, *Modus tenendi Parliamentum. Hackwells* manner of paſſing Bills. Sir Tho. Smith *de Repub. Anglorum. Cambdeni Britania.* All our Hiſtorians, Politicians, and the uninterrupted practiſe of all Ages. That it is now lately otherwiſe practiſed

's not by any Law of the Land, but by the will of lawleſs power and Rebellion, that hath cancelled all our Laws, Liberties and properties, and ſubverted our Fundamentall Government, and disfranchiſed and diſinherited the whole Nation. Yet Maſter St. *Johns* in his ſaid Argument againſt *Strafford*, pag. 38. was then of opinion, *That to ſubvert the Laws and Government, and make a Kingdome no Kingdome, was treaſon at the Common Law.* This Act 26. *March* 1650. is a new modelled Commiſſion of Oyer and Terminer; and all the people of the Land, are by the conſequence thereof disfranchiſed and proſcribed. The illegality and tyranny thereof, they have introduced, who in this Parliament ſo zealouſly complained againſt the Court of the Preſident and Counſel of *York*, or of the North, as an intollerable grievance (notwithſtanding it had been of as long continuance as from 41. *H.* 8.) as appeares by a worthy *Members Speech or Argument againſt it* (in the ſaid Book of Speeches and Paſſages page 409. *made by order of the Houſe of Commons in* Aprill 1649. I finde not one Exception there made againſt the Court of *York*, to which this upſtart High Court is not more liable then it. 1. The Commiſſioners of this High Court are not appointed *to enquire, per Sacramentum proborum & legalium hominum*, that is, by Juries; as by *Magna Charta*, and above 30. Statutes confirming it, all Commiſſions ought to run. 2. They are not appointed (nor ſworn) *to hear and determine, Secundùm Leges Angliæ*, according to the known Lawes (as they ought to be) but according to certain Articles and powers given in the ſaid Act 26. *March*, 1650. 3. The ſaid Act 26. *March*, leaves a dangerous latitude to the interpretation and diſcretion of the Commiſſioners (contrary to what is done in the Act 25. *Edward* 3. chapter 2.) namely; It hath *one Clauſe enabling them to inflict upon Offendors ſuch puniſhment, either by death or otherwiſe corporally, as the ſaid Commiſſioners, or the major part of them preſent ſhall judge to apper-*

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tain to Juſtice. This leaves it in the breſts of the Commiſſioners (without any Law or rule to walk by) to inflict what torments and ignominious puniſhments they pleaſe, although not uſed in our Nation; and *arbitrary corporall pains are proper to ſlaves, not to ſubjects.* Here (after the loſſe of all but their bodies) the people may ſee their bodies ſubject to the lawleſſe wills of our Grandees. And by another clauſe, this Act impowereth the Commiſſioners, *To examine witneſſes upon oath, or otherwiſe, if need be.* This word (*or otherwiſe, &c.*) gives them power to examine witneſſes without oath (if they cannot procure witneſſes ſo far the Sons of *Belial*, and cauteriſed in conſcience as to adventure upon an oath) even in caſe of life and death, and mutilation of Members; contrary to the current of all our Lawes and practiſe of all our Courts of Law, and of all Nations. See *Stat.* 1. *Edward* VI. chapter 12. 5. *Edward* VI. chapter 11. *Cooks* 3. Inſt. page 24, 25, 26. *Deut.* 17. 6. *Ex ore duorum vel trium peribit qui occidetur. Deut.* 17. 6. *Matth.* 18. 16. *John* 18. 23. 2 *Cor.* 13. 1. *Heb.* 10. 28. This is the moſt arbitrary and deſtroying liberty that ever was given to Judges; And ſuch as none but profeſſed thieves and murderers will accept or make uſe of. The Scripture ſaith, *An oath is the end of controverſie between man and man. How then can they end and determine a controverſie without oath?* But the end of all controverſies before this Butcher-row of Judges, is cutting of throats, and confiſcation of eſtates. And by the ſame clauſe of the ſaid Act (*To examine witneſſes*) *they may, and (I hear) do examine witneſſes clandeſtinely*, and proceed upon bare Depoſitions read in Court, whereas they ought to produce the witneſſes face to face in open Court, and there ſwear them, that the party accuſed may interrogate them, and examine the circumſtances; and whether they contradict themſelves, or one another, for clearing the Evidence? And whether they be lawfull witneſſes or no? Nay (I hear) they do privately ſuborn

See Stat. 6. chap. 11. & Cooks 2. Inſt. Page 26.

and engage witneſſes without oath. And then produce them to ſwear what they have formerly related onely: and if they ſcruple at an oath; puniſh them for miſ-informing the State. 4. That I may make ſome more uſe of the aforeſaid Members words, *Whether the King, or a prevailing Party uſurping his Kingly power, may canton out a part of his Kingdom (or cull and mark out for ſlaughter ſome principal men, and deny them the benefit of Law, in order thereto, as theſe Judges do) to be tryed by ſpeciall Commiſſion, ſince the whole Kingdom is under the known Laws and Courts eſtabliſhed at Weſtminſter?* It ſhould ſeem by this Parliaments eager complaint againſt the ſpeciall Commiſſion of *York*, this Parliament hath determined this queſtion in the Negative already (whatſoever their preſent practiſe to carry on their Deſign is) See Stat. 17. *Car.* 1. againſt the Star-Chamber. To what purpoſe ſerve thoſe Statutes of *Magna Charta*, and the *Petition of Right*, if men may be fined and impriſoned (nay murdered) without Law, according to the diſcretion of Commiſſioners? This diſcretion is the quick-ſand that hath ſwallowed our Properties and Liberties (but is now ready to ſwallow our carkaſſes.) Thus far that Gentleman, Whoſe words then carried the Parliamentary ſtamp upon them. Let me adde ſome more exceptions of my own againſt this High Court of Injuſtice. 5. *Souldiers of the Army are appointed by the Act* 26. March, *to be aſſiſtant to the Commiſſioners*, contrary to the peaceable proceedings of the Law, which never makes uſe of any but Civill Maſtiſtrates and Officers of the Law. See Stat. 7. *Edward* I. 2. *Edward* the III. chapter 3. 7. *Richard* 2. chapter 13. 6. *And contrary to the old oath which all Judges ought to take, in theſe words.* You ſhall ſwear *well and faithfully to ſerve the King and people*, in the Office of Juſtice, &c. And *that to what eſtate and condition they be come before you in the Seſſions with force and armes, againſt the peace, againſt the Statute thereof made, to diſturb the*

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Execution of the Common Laws, or to menace the people, that you arreſt their bodies, &c. Stat. 18. *Edward* 3. in Anno Domini 1344. page 144. Poultons Book of Stat. at large. *But the oath appointed for theſe Commiſſioners to take, is not penned in terms of indifferency, nor doth any waies oblige them to the people,* 26. March. 1550. (viz.) *You ſhall ſwear well and truly according to the beſt of your skill and knowledge, to execute the ſeverall powers given you by this Act* (not well and lawfully to ſerve the people.) Beſides, they ſwear to execute ſeverall powers given *(not to do Juſtice according to the Lawes.)* Now the Lawes are the onely rules of Juſtice, by which we diſtinguiſh crooked from ſtrait, true from falſe, right from wrong. This is not the work theſe Judges are packed for, but to *execute* Acts of *power* and *will*. But powers are often uſurped, tyrannicall, illegall and unjuſt: So are theſe. *Injuria eſt quod contra legem fit.* 7. How can the Houſe of Common (if it were full and free) conſtitute a new unpreſidented Court of Juſtice, nominate and ordaine Judges, and enable them to adminiſter Oaths, having never had, nor ſo much as pretended to have any power to judge, to nominate Judges, or to adminiſter an Oath; as having never been more than the Grand Enqueſt of the Kingdome, humbly to preſent to His Majeſty in a Petitionary way the grievances of the people? *Nemo dat quod non habet.* 8. Suppoſe the Houſe of Commons had power of Judicature, delegated to them from the people as their Repreſentatives: *Delegati non poſſunt ſubſtituere Delegatos, & Poteſtatem ſibi concreditam, in alios transferre.* Delegates cannot make ſubdelegates, and transfer their truſt to others. See Col. *Andrewes* 3. Anſwers given into this High Court, for his defence. Printed at the latter end hereof.

2. My ſecond conſideration will be, *Of what Perſons delegated or Commiſſioned, this Court conſiſteth?* The pretended Act 26. *March* 1650. names 25. Commiſſioners, all which (for their better credit) it enacteth Eſquires, amongſt whom

whom are four or five that have profeſſed the Law, (as farre as wearing a Lawyers Gown comes to) but were better known by their leiſure then by their Law; untill by adhering to our prevailing Schiſmaticks, in ſubverting our Laws, they ſeem to be eminent Lawyers. Of *Keeble* ſee the Triall of Lieut. Colonel *John Lilburn*, firſt and ſecond Part. *Steel* cited expired Statutes at *Wincheſter* againſt Captain *Burley*. The reſt are (for the moſt part) poor ignorant Trades-men, ſome ſo young they are but lately out of their Apprentiſhips, others Broken Trades-men that have compounded with their Creditors, ſome of vile and baſe profeſſions; One or two of theſe Wolviſh Saints (I hear) have with ſome difficulty eſcaped the Gallows for Man-ſlaying: *William Wibeard* Eſquire is a Rope-ſeller: this employment may happily help him to the Hangmans Cuſtome. *William Pemoier* Eſquire was heretofore an Ape-carrier, Cherry-lickom or Mountredinctido. *Cook* a Vintner at the Bear at the Bridge-foot, he keeps a vaulting-ſchool for our ſanctified Grandees, and their Ladies of the Game. If the Houſe of Commons had power to make Judges (which I have diſproved) yet, *Ex quovis ligno non fit Mercurius*. They muſt name ſuch Perſons as may be competent Judges. And therefore muſt not chuſe, 1. Ignorant men. 2. Nor ſuch as the Law calls, *Viles Perſonas*, men baſe or contemptible for their Perſons or Sordid callings; Mechanicks of the loweſt rank. 3. Perſons of Scandalous life and converſations. 4. Not Banquerouts and Indigent Perſons. *Neceſſitas cogit ad turpia*. 5. Not partiall and preingaged Perſons, choſen to ſuppreſſe another party. As theſe Commiſſioners are engaged to the preſent power to ſuppreſſe all others. 6. Nor *ſuch as Schiſmatically or Heretically affected, are ſeaſoned with ſuch Doctrines and Principles, as neither agree with the Duties of a good Chriſtian, a good Common-wealths man, nor a good Judge*. Which two laſt Objections not only theſe Commiſſioners, but the pretended Parliament that commiſſioned them are apparently guilty of,

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as being all of the Independent Faction conſpiring to rob and rout out all other Parties: Royalliſts, Presbyterians and Levellers: For which purpoſe this New Tribunall or Inquiſition is ſet up. *Independency being a meer complication and Syncretiſmus, or rather a Sink and Common-ſewer of all Errours, Hereſies, Blaſphemies, and Schiſmes, (though they peeviſhly differ in ſome inconſiderable Tenents) yet having one General end or ſcope at which they all chiefly aime,* (viz.) *power, preferment, profit, and the ſuppreſſion of the Truth and Magiſtracy, they have likewiſe ſome common principles to ſoader them together, which they uſe as a Means conducing to that Generall End.* Some few whereof I will here ſet down for my Readers ſatisfaction. 1. *To tollerate no King nor Magiſtrate Superior to themſelves,* as Being a Tyranny or Bondage over the Chriſtian Liberty of the Saints and Kingdome of Chriſt. Becauſe they know no Chriſtian Magiſtrate can tollerate them, being (by the *Genius* of their Sect) enemies to all Civil Societies, whether Monarchical, Ariſtocratical, Democratical or Mixed; as the Kingdome of *England* was before theſe men deſtroyed it. Beſides their common Doctrine, *That they are appointed to break the powers of the Earth to pieces, To levell the hills and fill up the vallies, That they are called, To bruiſe the Nations with a rod of Iron, and break them in pieces like a Potters veſſell:* Which they have done in *England,* and threaten the like in *France, Germany,* &c. whereof, their Pulpits and diſcourſes ſound. Obſerve *their Practiſes in the Low Countries.* Where having by their ſpies and Emiſſaries, found out ſome Burgers of the ſame humour with themſelves; They propagated their Doctrine ſo far; as to endeavour to ſtrike the Ariſtocratical Members out of that Common-wealth, by abetting ſome of the States Provincial to leſſen (and ſo to aboliſh by degrees) The Lords States General (the Optimates of that State) To ruine the Prince of *Orange,* to whoſe Family they owe their Liberty; *To diſſolve the Generall Union of the ſaid United Provinces, and ſo take in pieces the*

the whole Frame of that Republick. To ſay nothing of their Inſolencies in fighting and killing their men; becauſe the Belgike Lion will not ſtrike ſail to their Croſſe and Harp; and in blowing up the Antelope in *Helverſluce*: Which ſhews what good Neighbours *Holland*, and other Parts, are like to have of the New State of *England* and *Ireland* (when they have made themſelves intire by the purchaſe of *Scotland*) that is born (like our Engliſh *Richard* III.) with Teeth in its head; and ſnappeth at its Neighbours before it be out of its Swadling-clouts. This is the cauſe that *Cromwell* before he ſet ſail for *Ireland*, cauſed his Journey-men, the pretended Parliament, To paſſe an Act for Tolleration of all Errors, Hereſies and Schiſmes, under the Notion of Liberty of Conſcience, and Eaſe for Tender Conſciences.

2. Their ſecond Principle is, *That the Good things of this World belong onely to the Saints (that is, themſelves,) all others being uſurpers thereof: and therefore they may rob, plunder, ſequeſter, extort, cheat and confiſcate (by illegal Laws of their own making, by extrajudicial Courts and partial Judges of their own conſtituting) other mens goods and eſtates, upon as good Title as the Jews ſpoiled the Egyptians, or expelled the Canaanites.* 3. The third Principle. *That the Spirit (which ſanctifies and illuminates theſe men) in every particular man blows when and where it will, ſometimes this way, ſometimes that way, often contrary ways: And therefore they can make no profeſſion of any certain Rule of Doctrine or Diſcipline, becauſe they know not which way the Spirit will inſpire.* For this reaſon they are ſtill pulling down old and ſetting up New Doctrines, as the *Nomades* do cottages, onely conſtant in unconſtancy. They profeſſe their conſciences are the Rule and Symboll both of their Faith and Doctrine, by this Leaden Lesbian Rule they interpret, and to this they conform the Scriptures; not their Conſciences to the Scriptures; ſetting the Sun-diall by the clock, not the clock by the Sun-diall. That every man muſt pray according to the Dictates of his Private Spirit; They reject the Lords Prayer, for fear

of

of quenching the Spirit. *When they break their Faith, Articles, Promiſes, Declarations and Covenant; they Alleage, the Spirit is the Author thereof.* When *Cromwell* (contrary to his vows and proteſtations made to the King) kept him cloſe Priſoner in Carl-brook Caſtle; He affirmed *the Spirit would not let him keep his word.* When contrary to the Publick Faith, they Murdered Him; they pretended, *They could not reſiſt the Motions of the Spirit. Sua cuique Deus ſit dira libido.* This Hobgoblin ſerves all turnes. 4. Their fourth Principle is, *That they may commit any ſin, and retain their Sanctity in the very Act of ſinning: For what is ſinfull in other men, is not ſo in the Saints; who may commit any crime againſt the Law of God, and yet it cannot be imputed to them for ſin;* Becauſe they know in their Conſciences what they doe. So tender and delicate are their Conſciences, That *they are capable of any Offence againſt their Neighbour, without breach of Juſtice or Charity.* A righteous man is a Law to himſelf. 5. Their fift Principle is, *That ſeven make a Church: although men, women and children, and that this Church is Independent upon any other.* The *Anaptiſts* (though they neither profeſſe to follow *Paul* nor *Cephas*) yet declare themſelves to be ſome of *Cromwells* Church, ſome of *John Goodwins*, ſome of *Kiffins*, ſome of *Patiences*, and ſome of *Carters* Church. 6. Their ſixth Independent Principle is, *That if a man be queſtioned for any crime, though his Judges have neither competent witneſſes, proofs nor evidence of his guiltineſſe, yet if they think in their Conſciences he is guilty; they may condemn him out of the Teſtimony of their own Private Conſciences.* Is it not fit men ſo Principled ſhould be Judges and Jury too; and condemn men by inſpiration? So Colonel *Andrews* and Sir *John Gell* were condemned; for *Bernard* and *Pits* (witneſſes againſt them) were apparently ſuborned by *Bradſhaw* and Sir *Henry Mildmay* againſt them, and forſworn in the ſame cauſe; and good proof offered to the Court, that they were both Flagitious men, of ſcandalous life and converſation. The letter (ſuppoſed to be ſent

by *Andrews* to *Gell*) was delivered to *Bradſhaw*, whereof *Bradſhaw* ſent a Copy onely to *Gell* at 10. of the clock at night; and had a warrant then ready to arreſt *Gell*, which was done early next morning before he could conveniently diſcover it: Yet was *Gell* ſentenced for Miſpriſion of High Treaſon. See Sir *John Gells* caſe ſtated *Auguſt*, 1650. with Colonel *Andrews* Atteſtation (in his behalf) under his hand a little before his death. And though Sir *John* was Impeached and Mr. Atturney proſecuted him onely for Miſpriſion; yet had he much ado to keep that bloud-thirſty, old cur *Keeble* from taking a leap at his throat, and giving Judgement againſt him for High Treaſon. So for want of Law Sir *John* had like to be hanged by Inſpiration and Inſtinct of the Spirit. He that will ſee more of the Independent Tenets, Let him read *Cl. Salmaſius* chapter 10. *Defenſionis Regiæ, Elenchus Motuum nuperorum in Anglia*, And the Hiſtory of Independency firſt and ſecond part. Theſe 6. I have ſelected, that by comparing their Doctrine with their daily Practiſe, the Reader may perceive what pious Chriſtians, good Patriots, and upright Judges, theſe engaged, Independent Commiſſioners of the High Court of Juſtice are like to prove. The builders of this New Common-wealth or Babel, hold forth to the People, Juſtice and Liberty, as their Motto: as if thoſe excellent gifts had never received their birth, nor been ſo much as ſhewn to the People untill they murdered the King, and ſtepped into his Throne. But how righteous a *Free-ſtate* or Common-wealth is this like to be? And how well are *the* People therein likely to be inſtructed in the ways of Righteouſneſſe, Juſtice and Charity, and improved *in* good life and converſation, by men ſo principled as aforeſaid, Let the world judge. Eſpecially when they obſerve, That our New Statiſts have enacted in the ſaid pretended Act. 2. *January*, 1649. enjoyning the Engagement, That whoſoever will promiſe truth and fidelity to them by ſubſcribing the Engagement, may deal falſely and fraudulently with all the world beſides.

beſides. And break all Bonds, Aſſurances and Contracts made with Non-engagers, concerning their Eſtates; and pay their Debts by pleading in Bar of all Actions, That the complainant hath not taken the Engagement: This is to rob the *Egyptians* of the good things of this world, This is to break their Faith by the Motions of the Spirit, This is to cheat and rob their Neighbours without breach of Charity or Juſtice, and without imputation of Sin according to their aforeſaid Tenets.

3. I am come now to conſider in the third place, *The way and Manner of their proceedings*; How conſonant they are to the uſuall proceedings of our known Lawes, and Legall Courts of Judicature; (the beſt Inheritance of all Freemen) whereof ſee Colonel *Andrewes* 3. Anſwers in his Defence given into the ſaid High Court, herewith printed.

1. The firſt courſe they commonly take is; To break open mens Houſes, Studies, Cheſts, &c. and ſeiſe their Papers; and thereby hunt for Matter of Charge againſt them. And then to examine them againſt themſelves, upon the ſaid Papers, contrary to *Magna Charta*, which ſaith, *Nemo tenetur prodere ſeipſum.* And contrary to the Doctrine of Chriſtianity, which forbids a man to deſtroy his own life, or be, *Felo de ſe*, as many men unwittingly do, who anſwer to captious, enſnaring queſtions. When that tempting queſtion was put to Chriſt; *Art thou the King of the Jews?* He returned no other Anſwer then *Thou ſayeſt it: Why askeſt thou me?* Ask them *that heard me*, That is, Ask witneſſes. It was objected againſt the Oath *ex Officio*, That it was High Injuſtice to examine a man againſt himſelf: Becauſe his Anſwers may only ſerve to condemn, but not to acquit him.

2. They uſually break open houſes with Souldiers, at all houres in the night, pulling men out of their beds with great violence and Terrour, and ſo carry them away, under pretence whereof Robberies and Murders have been

committed, Whereas by the Stat. 1. *Edward* VI. chapter 12. and 5. and 6. *Edward* VI. chapter 11. A man ought not to be accuſed of High Treaſon but to one of the Kings Counſel; or to one of the Kings Juſtices of the Aſſize; or to one of the Kings Juſtices of the Peace being of the *Quorum*: or to two Juſtices of the Peace where the Offence is committed. *Cooks* 3. *Inſtit. chapter* High Treaſon, *page* 26, 27, 28.

3. They commit men to Priſon without any Accuſation or Accuſor made known, and during pleaſure: and detain them in Priſon many yeares together without any Legall proceedings or Charge againſt them; ſharing their Eſtates; Offices and Revenues (by Sequeſtrations and Suſpenſions of the Profits) amongſt themſelves; without any Crime objected: And ſo leave them to ſtarve, rot and dye in naſty Gaoles for want of Maintenance, under the cruelty of covetous and mercileſſe Gaolers, whom they bear out (for money) in all their Extortions. And being thus impriſoned and wounded with the diſpleaſure of the State, no man dares adventure upon any ſecurity, to lend him money for fear of incurring the diſfavour of the State, and a Note of Malignancy, whereby their Priſons are become private Slaughter houſes, as well as their Courts Publick ſhambles of Injuſtice. Priſoners in the Tower of *London* (To which priſon no Gaole-delivery belongs) were alwaies wont in the time of (*that ſuppoſed Tyrant*) King *Charles* I. and his Predeceſſors, to have allowance from the King, according to their ſeverall degrees; As 5l. a weeke for an Eſquire, &c. although the King deprived them of no part of their Eſtates untill conviction, and this Maintenance was provided for them by the Lieutenant of the Tower; and in reſpect of his care and paines in procuring it he had Fees, and not otherwiſe, though now they continue and encreaſe the ſaid Fees; the cauſe being taken away, the effect ceaſeth not. But theſe men now in power, after they have Committed men

Witneſs about 3000. Scottiſh Priſoners of War ſtarved to death at *Durham*: where they ate one another for hunger. Theſe were taken at the battle of *Dunbar* an. 1650. 3. *Sept.* and many hundred Priſoners have been murdered in Gaoles, with hunger, cold, naſtineſs and contagion, after they have been robbed of their Eſtates and no Crime laid to their Charge: this is become a daily practice.

and robbed them of their Eſtates, without cauſe ſhewen are ſo far from giving them any allowance to feed them, that they ſhut them up cloſe Priſoners in unwholſome Chambers, denying them the Liberty of the Tower, and the benefit of freſh Aire (the *Camelions* Diet) for their health, and reſort of friends, for their accommodation. And that they may be ſure to *deprive them of all legall means by* habeas corpus *to recover their liberties*; They Commit men by *illegall warrants*, not expreſſing any particular offence or cauſe for their Commitment: ſo that it is impoſſible for the keeper of the priſon to obey the *habeas corpus*, which is directed to him in theſe words: *Præcipimus tibi quod corpus A. B. unà cum cauſa detentionis ſuæ, habeas coram nobis, &c. ad recipiendum ea quæ curia noſtra, &c.* Whereupon the Gaoler or Sheriff is to bring his Priſoner to the Bar, and tender his *mittimus* to the Court, ſhewing the particular cauſe of his Impriſonment, that the Court may judge whether it be Legall, or no. *Doloſus verſatur in Generalibus.* In the Acts of the Apoſtles, chap. 25. verſe 26. 27. *Feſtus* thought it unreaſonable to ſend *Paul* a priſoner to *Cæſar* (to whom he had appealed) and not withall to ſignifie the Crimes laid to his Charge. See *Cook's* 2. *Inſtit. fol.* 591.

4. Their uſuall Courſe of *practiſing and ſuborning witneſſes, tempting them with hopes and terrifying them with fears*, is ſo notorious; That it is known the Counſell of State have hundreds of *Spies and Intelligencers*, *Affidavitmen and Knights of the Poſt*, ſwarming over all *England*, as Lice and Frogs did in *Egypt*: and have both *Penſions and ſet rates for every Pole brought in*: *So that now the whole Nation is proſcribed, and every mans head ſet to ſale*, and made a ſtaple commodity, (far beyond the definite Proſcriptions of *Silla* and the *Triumvirate* aforeſaid) Theſe Sons of *Belial* are ſent forth to compaſſe the earth ſeeking whom they may devour. Theſe, (with the Liberty of Privilleged Spies) ſpeak bold language to draw other men into

into danger: and plot conſpiracies, which themſelves detect, and are rewarded like Decoy Ducks for their paines. Of this ſort are *Bernard* and *Pits* ſet on work to betray *Gell* and *Andrewes*, as aforeſaid. For which *Bernard* had 300l. and a Troop of horſe conferred upon him. *Johnſon* that falſly accuſed Sir *Robert Sherley*, and *Colonel Egerton* for their charity in relieving his wants, is another; *Varney* is a Fourth. So well are they fitted with theſe Sonnes of *Belial*, that no *Naboth* can keep his Vineyard, if a Grandee caſt a covetous eye upon it; they can prove what they liſt. Nay it is uſuall for our Grandees to moleſt one man with examining him twenty or thirty ſeverall times, againſt one Priſoner, and upon one point, to diſtract his memory, and not to let him be quiet untill he perceive he muſt ſpeak what their queſtions and diſcourſes lead him to, to redeem himſelf from vexation. To ſay nothing of their Menaces, To torture men if they will not confeſſe, what they impudently pretend is already diſcovered by other meanes: And their inſinuating into the Affections of witneſſes, by asking them, Whether the State doth not owe them money? And why they do not uſe fitting meanes and opportunities to recover it? And why they do not make meanes for ſome beneficiall employment?

5. *In Magna Charta*, chapter 29. it is enacted, *That no Freeman ſhall be taken or impriſoned; or be diſſeiſed of his Free-hold or Liberties or Free-Cuſtoms, or be out-lawed or exiled, or any otherwiſe deſtroyed*; nor *we will not paſſe upon him or condemn him, but by lawfull Judgement of his Peers, or by the Law of the Land. We will ſell to no man, we will not deny or defer to any man, Juſtice or Right.* See Statute 2. *Edward* III. chapter 8. 5. *Edward* III. chapter 9. 14. *Edward* III. chapter 14. 25. *Edward* III. chapter 4. 11. *Richard* II. chapter 10. Pet. of Right 3. Car. 1. 10. *Edward* IV. folio 6. *Dier* folio 104. Cook lib. 5. folio 6. lib 10. folio 74. lib. 11. folio 99. Regiſt. folio 86. Where

note

note the word (*Peers*) ſignifies, that no man is to be condemned or deſtroyed, but by the lawfull verdict of a *Jury of twelve ſworn men of the Neighbourhood* where the Fact was committed; becauſe (in probability) Neighbours may have beſt cognizance of the Fact, and of the life and converſation of the Party Accuſed. And theſe onely are *Competent Judges of Matter of Fact*; and in many caſes of Matter of Law too, if they will take the knowledge of the Law upon them. Neither can this Petty Jury of 12. men go upon the Priſoner unleſs a *Bill of Endictment* containing the whole Matter of charge be firſt found in open Court by a Grand Jury or Enqueſt of ſworn men; who are to enquire of the Fact upon the Oathes of two lawful witneſſes (at leaſt) to every materiall Point of the Endictment: and then, when the Grand Enqueſt are all agreed, the Foreman endorſeth upon the back of the Bill (*Billa vera*) and then preſents it in open Court, as the Information for the King of the whole Enqueſt: otherwiſe the Endictment is quaſht, and null. Cookes 3. Inſtit. chap. High Treaſon and Petty Treaſon. And whereas the Statute ſaith, (but by his Peers, or by the Law of the Land) *Lex Terræ*, ſignifies, The Ancient Cuſtomes of the Land; Amongſt which Fundamental Cuſtomes, Trialls by Juries hold a principall place. *And when the King* Charles *I. accuſed this Parliament, That they diſpoſed of their Subjects Lives and Fortunes by their votes, contrary to the known Laws of the Land, This Parliament in their Remonſtrance, September* 1642. (1. Part of the Book of Declarations folio 693.) *highly reſented it.* And *Magna Charta* being nothing elſe but an Affirmation of the Common-Law, inſerted this Clauſe (*or by the Law of the Land*) as a ſpeciall caution, not to annihilate or fruſtrate (no; not ſo much as tacitely, or by preterition) any of the ſaid Fundamentall Lawes or Cuſtomes; nor any other particular lawfull Cuſtomes, which are not one and the ſame in all parts of *England*: Witneſs the Cuſtom of *Gavelkind* in *Kent*. I have told you what our known

known ancient Legal Courts of Juſtice do. And I muſt tell you that *Legal formes and ſet Modes of proceedings are ſo eſſentiall unto Juſtice, that without them we cannot meaſure the Rectitude of Obliquity, of Juſtice or Injuſtice:* where they do not chalk forth the way, both Judges, Lawyers, Officers and Atturneys will tread what ſubtle, obſcure pathes they pleaſe, uſurp an Arbitrary power and latitude to prevaricate; and ſo far corrupt and work the Law of their ſenſe, that they will rather *Leges dare*, then *Leges dicere*, ſo that what is Law in one mans caſe, ſhall not be ſo in another mans. They will ſo intricate and intangle cauſes; that every caſe ſhall be *Caſus pro amico*; as Civilians call it; when upon full hearing, The Merits of the cauſe appear ſo equall, and undiſtinguiſhable on both parties; that the Judge may (according to his diſcretion) look upon the Merits of the Perſons onely: and give the cauſe; *Pauperiori, viâ Charitatis*, or *digniori, ratione virtutis. Juſtice not fixed by Formalities, will become ſuch a vagrant, that no man ſhall know where to find her.* Let us now ſee what our new ſhambles, our upſtart Hight Court doth. Which in this work of Reformation and Deſtruction, ſo much abhorres Superſtition and Ceremonies, and ſticks ſo cloſe to a Summary way of proceeding, that they have not onely ſtripped, but ſtead her: as their Maſters the Parliament not onely fleece but flea the People. In lieu of a Bill of preſentment, by a Grand Enqueſt, the pretended Parliament or Counſel of State, ſend *a Liſt of ſuch Perſons names*, as they have proſcribed; And ſet a *Nigrum Theta* upon, (as men dangerous to their deſigned intereſt) to the Maſters of their Slaughter-houſe, The ſaid High Court, together with ſuch Depoſitions as they have taken in corners, againſt the Priſoners: and this is ſuch a forejudging of them, that the ſaid Court neither will nor dare acquite, whom their Maſters and Pay-maſters have precondemned. Next *Articles of Impeachment in nature of a charge* are drawn up againſt the Priſoner (although ſuch Articles are nothing in Law, which regards onely a Bill of Indictment.)

dictment.) Then the Priſoner (after a cloſe Impriſonment for he knows not what,) upon two days warning is led to the Bar; where the firſt work is to dazle his eyes, amaze and diſtract his Judgement and Memory with the terror of their Souldiers, the Numerouſneſſe, high affronting words and looks of his Judges; having thus mortified the Priſoner, he is commanded to hear his charge read: and bid *plead to it, Guilty, or not Guilty.* If he own their Juriſdiction and plead the ſaid Generall Plea, they have him where they would have him: they never ask him, how he will be tried, Whether by God and his Country? For God hath no hand in theſe proceedings, nor amongſt ſuch Judges: and this rod of Iron is provided to bruiſe his Country, as well as himſelf. Lieutenant *Colonel Lilburns* Trial hath taught them, That it is an eaſier Matter for them to pack a Butcher-row of confiding, partial Judges, then a Jury; who are liable to be challenged, if ſuſpected of partiality. When *Colonel Andrews* claimed to be tried legally as a Free-man by a Jury, and vouched Great Charter, and many other Statutes, (whereof ſee his aforeſaid 3. Anſwers) that ſneaking Bloud-ſucker, illiterate *Keebl* anſwered, Thoſe Statutes were out of date now, (meaning, They were taken away by conqueſt.) *So that this Shamble-row of Judges, take upon them to be, both Judges of the Law (without acknowledging the Fundamentall Laws of the Land, or taking any Oath of Indifferency to the People,) Triors of the Fact, or Jurates of life and death (without being ſworn to find according to Evidence) as well as Parties and Proſecutors.* Theeves upon the high way may as juſtly arraign a True man before them, becauſe he brought no more Money in his purſe, offered to draw his ſword and hid his money about him in contempt of their Juriſdiction and Authority; and condemn him upon ſuch a Mock Triall and Mummery or Enterlude of Juſtice, as theſe Fellows. *If they allow him Counſel,* his Counſel muſt apprehend the minds of his Judges, at his perill; and not be ſo faithfull and diligent as to help his client in earneſt; Leſt the Counſell of State, or ſome other power (whoſe will is a Law) interpoſe, and baniſh him 20. miles from *London*; as they did

Maſter *Sprat*, Sir *John Gells* Solicitor, before Sir *Johns* buſineſſe was ended; whereby Sir *John* was left deſtitute of meanes to follow his buſineſſe, himſelf being Cloſe Priſoner. If they permit any *witneſſe to ſpeak on the priſoners part*, He comes at his perill: Sir *John Gells* firſt witneſſe was ſo baffled in Court, that the reſt ſtole away and durſt not appear. *I have not heard whether they give any Copy of their Artiqles of Impeachmem to the Priſoner*, (for they cover all their doings with ſuch a Plaguy Egyptian Darkneſſe, that we cannot ſee a glimpſe of light) or whether they go a Starte-Chamber way, and make him anſwer *Ore tenus*, and *ex tempore* for his life and Eſtate. *But if they give him any Copy, or any time to anſwer, it is not above four or five days or a week, nor do they allow him Counſel or any other clearing of the way to his defence, untill he have enſnared himſelf by owning their Juriſdiction, and pleaded the General Plea, Not Guilty. If he plead not an Iſſuable Plea, and yield to their Juriſdiction, quitting all beneſit of the Law and Legall proceedings; the Razor is at his throat, they thirſt after his Bloud; and they preſently ſentence him guilty of contumacy, and take it* pro confeſſo. *And if he do ſubmit and plead: His plea will have the operation but of a Pſalm of Mercy, prolonging his life but for a ſhort time, in the interim* Keeble *and his Court plays with him as a Cat with a Mouſe, and then devours him. For no man is ſent to this Court to be Tried, but to be condemned. In hac arena dimicatur ſine miſſione.* Herein they ſhew themſelves much more Tyrannous and bloudy then the Duke *D' Alva* when he erected his ſaid Counſel of Troubles, called *Concilium Sanguinis*, or the Bloudy conventicle; as this will ſhortly be. For ſaith Strada Declar. 1. lib. 7. *Procurator reginus menſes* 4. *Conficiendæ Accuſationi accipiens ſibi*; 5. *Conce debat ad Defenſionem regis* (*Egmontio, Hornano, &c.*) The Kings Attorney took 4. Moneths time to draw up the charge or accuſation, and gave 5. Months time to the Reſpondents to make their defence. And had he given leſs then 5. Months time, To inſtruct Counſel, Pen their Anſwers, produce and ſummon witneſſes, inquire into the lives and converſation

of

of their Accuſors, his feet had been ſwift to ſhed blood. *Nulla unquam de morte hominis cunctatio longa eſt.* But our Inquiſitors take whole years to themſelves to hunt for matter of accuſation, & hire & engage witneſſes againſt men kept in ignorance and want with cloſe Impriſonment: and allow not them ſo many days to make their Defence. *All manner of accuſors and witneſſes, though apparently ſuborned and forſworn in the ſame cauſe, and proofs without exceptions offered to the Court that they are of infamous life and converſation, are in this Court (the Object of whoſe deſires are Bloud and Confiſcations, not Juſtice) lawfull witneſſes,* ſuch witneſſes were the ſaid *Bernard* and *Pits*; Monſters of men. See Sir *John Gells* caſe ſtated: Printed about Auguſt, 1650. *To cite any ancient known Laws or Statutes, or any other then their own new coined Acts, paſſed by this* 8th. *Parts of a Houſe of Commons, (ſince they became elect Members choſen by* Thomas Pride) *is to incur the High Indignation of the Court, expreſſed abundantly in their words and looks. But to put them in mind of the Parliaments many Declarations, To maintain the ancient known Laws, Liberties and Properties of the People, is to ſcandal the preſent Government and incur the Cenſure of that unknown, Myſterious Crime which knaves call Malignancy.* The witneſſes and Judges being thus irrefragable; the firſt may ſwear what they will, the ſecond may judge what they will, ſince they are left at large and have all things *in ſcrinio pectoris*: and Book Law muſt give place to Bench Law, *The Juriſdiction and Authority of this New unparallel'd Court is ſuch a Miſtery of iniquity, ſo unſcrutable and unqueſtionable,* that if a Priſoner ſcruple (in the leaſt) either it, or any of the uncouth proceedings of it, it is a Mortal Sin to him; and he is preſently interrupted, and affronted both with diſdainful words and looks, And told, *We are ſatisfied with our Authority that are your Judges,* (So are Theeves upon the high way ſatisfied with their Authority that rob and murder us by Gods Providence and permiſſion.) *It is upon Gods Authority and the Kingdoms* (yet what they do is againſt the will of God revealed in his Scriptures; and againſt the known

See the Triall of King *Char.* I. in the Hiſtory of Independency the ſecond Part. pag. 91. &c.

eſtabliſhed Lawes, Statutes and continuall Practiſe of the Kingdom:) *Which Authority commands you in the name of the people of* England *to anſwer them.* Yet (at leaſt) 9. parts of 10. of the people ſo much abhor theſe and other their Practiſes, that every mans mouth ſpeakes againſt them with bitter curſes and reproaches, to reſtrain which they have minted Acts of New Treaſons, to make men Offenders, nay Traitors, even for bare words; and erected this bloudy, illegal Theater, The High Court (ſo called, for its High Injuſtice) *as a Spaniſh* Inquiſition over them, and every mans hand would be about their eares, did they not keep an Army of Janiſaries to ſuppreſs them. *Their Authority they do avow to the whole World, that the whole Kingdom are to reſt ſatisfied therewith.* You ſee here a Whip and a Bell provided to keep the whole Kingdom in awe: the declared Supreme power of their Soveraign Lord the people, muſt reſign their known Laws to their Truſtees, their Repreſentatives in Parliament, and take New Laws from their Arbitrary votes, or woe to be to their Necks and Shoulders. *I muſt interrupt you, what you do is not agreeable to the Proceedings of any Court of Juſtice. You are about to enter into Argument and diſpute concerning the Authority of this Court: before whom you appear as a Priſoner; you may not diſpute the Authority of this Court: nor will any Court give way to it, you are to ſubmit to it.* It is not ſafe to confute a lie told with Authority. Yet if a man be Endicted of Treaſon or Felony in the Court of Common Pleas, a man may Demur to diſpute the Jurisdiction of that Court; becauſe it is not in Criminall Cauſes, *Competens Forum*; nor the Judges Competent Judges: every man, and every cauſe muſt be tried *Suo Foro, non Alieno.* So that if a Peer be arraigned in the Kings Bench. And for this upſtart, unprefidented High Court; it is no Court of Judicature at all; as being erected without lawful Authority; Conſiſting of Incompetent Judges: no Records belonging to it, and tending to diſinherit, and disfranchiſe all the people of *England*, and to murder them. *You may not diſpute the Jurisdiction of the Supreme and Higheſt Authority of* England, *from which there*

is

is no Appeal, The votes of the Commons of England *aſſembled in Parliament is the Reaſon of the Kingdom.* Oh Brutiſh, irrational Kingdom! Where 40. or 50. Anabaptiſtical Members, the Dregs and lees of the Houſe of Commons, after all the beſt and ſincereſt (7. parts of 8.) had been racked and purged out at the Bunghole by *Cromwel the Bruer* and *Pride* his *Drayman* ſhall be called the Reaſon and Law of the Land. This confirmes the truth of what King *Charles* I. Objected to the Parliament (whereof I have formerly ſpoken) *That they diſpoſed of the Subjects Lives and Fortunes, by their own Votes, againſt the known Laws of the Land.* But that there ſhould be no Appeal to their declared Soveraign Lord the People, from their ſubordinate Truſtees in Parliament is wonderful; conſidering that in all Governments the laſt Appeal is ever the higheſt and moſt abſolute power. But it may be they will be the peoples Truſtees in ſpight of their Teeth, and by the power of the Sword; and ſo free themſelves from rendring any account of their Stewardſhip. *You may not demurre to the Juriſdiction of the Court. If you do, they let you know, that they over-rule your Demurrer, and affirm their own Juriſdiction. Reaſon is not to be heard againſt the Higheſt Juriſdiction, the Commons of* England *make a direct and poſitive Anſwer, either by denying or confeſſing, and put in immediately an iſſuable Plea,* Guilty, *or* Not Guilty *of the Charge, or we will record your Default and Contumacy, and by an implicite confeſſion take you guilty* pro confeſſo, *and immediately give Judgement againſt you.* This (as I told you before) is it that blanches the Deer into the Toile, But God deliver us from that Juriſdiction that is too high to hear Reaſon: and that over-rules demurrers before they be heard. I have told you as much of the proceedings of this Court as the Novelty, Obſcurity, Uncertainty and confuſion thereof will give me leave. Let me now (by way of overplus) give you the great dangers and Slavery that will befall all ſorts of people if they tamely and cowardly ſuffer themſelves to be deprived of their ancient, Legal Trials by Endictment and Juries of the Neighbourhood: (then which the whole world cannot

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doubt of a more equal way) and ſuffer their Lives, Liberties, Eſtates and Honours to be ſubject to an Arbitrary, Extrajudiciall conventicle of Bloud, *(Cromwells New Slaughter-houſe)* which hath neither Law, Juſtice, Conſcience, Reaſon, Preſident or Authority Divine or Humane, but onely the pretended Parliaments irrationall Votes and the power of the Sword to maintain it, which will prove a Cittadell over their Liberties, a ſnare to their Eſtates, a Deadfall to their Lives, and ſcandall to their honours and Families, if not timely oppoſed.

1. *By the Law the Endictment muſt ſpecifie what the Treaſon is, and againſt what perſon committed; As, againſt our Soverain Lord the King, His Crown and Dignity.* But in the ſaid Articles of Impeachment, it is alleadged that the Treaſon is committed againſt the preſent Government; or, againſt the Keepers of the Liberties of *England*, but in this dead-water our turning Tide between the old Regall, and this New, unknown Government; no man knows how to do, look or ſpeak for fear of contradicting the guilt of an Interpretative Treaſon, upon the ſaid two Statutes for New Treaſons, and before this boundleſs, lawleſs New Court. And *to ſay that Treaſon is committed againſt a Government* in abſtracto *is Non-ſence: it muſt be ſaid that Treaſon is committed againſt the Governors* in Concreto, *naming them.* For there being *no Treaſon without Allegeance; And Allegeance being a perſonall Obligation, muſt be due from a certain known Perſon, to a certain known perſon or perſons.* And therefore *the Keepers of the Liberties of* England, *not being yet made particularly known to us, who they are, or where to be found, or what their power, Duty, Office is; and being not tied by any ſet Oath, to deal well and truly with the people, (as Kings are by their Coronation Oath; for if the ſtipulation be not mutual, the people are ſlaves, not ſubjects.)* Since the Duties of Allegeance and Protection; Obedience and Command being reciprocall (as they muſt needs be, the Parliament having declared the Supreme power to be in the people; they muſt not govern them *Mero Imperio* (by Lawleſs votes) like *Turkiſh, Tartarian* and *Ruſſian*

Ruſſian Slaves.) *I cannot owe nor perform Allegiance to thoſe Individua vaga* (*the Keepers or Gaolers of our Liberties*) nor to an Utopian Common-wealth. And without Allegiance no Treaſon: for in all Endictments of High Treaſon it muſt be alleaged, *That the Accuſed did* (*Proditorie*) *perpetrate ſuch and ſuch Crimes, Contra debitam Allegantiam ſuam.* And the word (*Proditorie*) *ſignifies the betraying of a Truſt:* According to the Proverb; In Truſt is Treaſon. *Now where there is no profeſſion of Allegeance, there is no acceptance of a Truſt, no man can truſt me againſt my will.* I was born under a Regall Government, have read the Stat. Recognition, 1. Jac. Have taken (as well as others) the Legall Oaths of Allegeance, Obedience and Supremacy to the *King* his *Heires* and *Lawfull Succeſſors*, impoſed upon me by lawfull Authority, and from which no power on Earth can abſolve me: and ſo much I atteſt in the Oath of Supremacy. And how I ſhould now come (after the New Moduling of the Parliament and Kingdome by Souldiers) to owe Allegeance to *Cromwell* the *Bruer*, *Scot* the *Bruers Clerk*, *Bradſhaw* the *Murderous Petty fogger*, Sir *Henry Mildmay the Court. Pander* and *Projector*, *Holland* the *Linke-boy*, *John Trenchard* that packed a Committee (in which he was a Member) and voted to himſelf 2000l. *Love* the ſuper-inducted Six Clerk, or any other of that Self-created authority, let them ſheath their ſwords and tell me.

2. *An Endictment muſt certainly allege the Offence committed, in reſpect of the Matter, Time, Place, Perſons and other Circumſtances*; But in theſe Articles of Impeachment they tie themſelves to no ſuch certainties; Whereby the accuſed knows not at what ward to lie, nor how to make his Defence. The Circumſtances of Time, Place and Perſons, being the aſſured Teſtimony of all humane actions. This Lawleſs Court leaves him in a vaſt Sea of Troubles, without Pole-ſtar, Card or Compaſs to ſteer by: The Arbitrary opinions of this Court, declared upon emergent occaſions, being a falſe-hearted Pilot to him. *Theſe Judges not being of Counſel with the Priſoner, as our Legall Judges are, who ſwear to do Juſtice according to the Law.* 3. *By*

See the Additionall Poſtſcript at the latter end of this Book.

3. *By the Law, any learned man that is preſent, may informe the Court, for the benefit of the Priſoner, of any thing that may make the proceedings erronious.* Cooks 3. Inſtit. p. 29. But the whole Proceedings of this Court, their meeting and ſitting being erroneous, here is no room left for admonition, To take away their errours, is to take away the Court.

4. Cooks 2. Inſtit. pag. 51. expounding the 29. chapter of *Magna charta* hath theſe words. *All Commiſſions ought to be grounded upon the Laws of England* (not upon the votes of the Houſe of Commons) *and to contain this Clauſe in them. To do what is juſt according to the Laws and Cuſtoms of England,* (not to execute the ſeveral powers given them by the Act 26. March 1650.) and a little further he ſaith, Againſt this Ancient and Fundamental Law I find an Act of Parliament made 11. *Hen.* VII. c. 3. That as well Juſtices of Aſſize as Juſtices of the Peace, without any finding or preſentment by the verdict of 12. men, upon a bare Information for the King before them made, ſhould have full power and Authority by their Diſcretions, to hear and determine all Offences and Contempts committed, or done by any Perſon or Perſons, againſt the Form, Ordinance or effect of any Statute made and not repealed; ſaving Treaſon, Murder or Felony. By colour of which Act ſhaking this Fundamentall Law, it is not credible what horrible Oppreſſions and Exactions, to the undoing of infinite number of People, were Committed by *Empſon* and *Dudley* Juſtices of the Peace throughout *England*. And upon this unjuſt and injurious *Act, a New Office was erected (as commonly in like caſes it falleth out) and they made Maſters of the Kings Forfeitures. (I hear ſuch another Office will be erected, when the Novelty of this wonderfull High Court is leſſened, and the yoke thereof throughly ſetled upon the Peoples Necks.)* Yet obſerve the ſaid Act. 11. *Hen.* VII. c. 3. went not ſo high as to Treaſon, Murder and Felony: But by the Stat. 1. *Hen.* VIII. chap. 6. the ſaid Act 11. *Hen.* VII. was repealed, and the reaſon given, For that by force of the ſaid Act it was manifeſtly

feſtly known.; That many miniſter and crafty, forged and feigned Informations had been purſued againſt many of the Kings ſubjects, to their great dammage and wrongfull vexation. The ill ſucceſſe hereof (ſaith *Cook*) and the fearfull end of theſe two Oppreſſors, (who were Endicted and ſuffered for High Treaſon for all the ſaid Act 11. *Hen.* VII. paſſed in a full and Free-Parliament. Cooks 3. Inſtit. p. 208.) *Should admoniſh Parliaments, That inſtead of this Ordinary and precious Triall by the Law of the Land, they bring not in Abſolute and Partial Trialls by Diſcretion.* And in his 4. Inſtit. pag. 41. *Cook* ſaith, *Let Parliaments leave all Cauſes to be meaſured by the golden and ſtreightned wand of the Law, and not the uncertain and crooked cord of Diſcretion: for it is not almoſt Credible to foreſee, when any Maxime or Fundamentall Law of the Land is altered, what dangerous inconveniences will follow; as appears by this unjuſt and ſtrange Act.* 11. Henry VII. chap. 3.

5. *This Parliament always declared they bore Arms againſt the King, in Defence of the Laws, Liberties and Properties of the People.* This way ran the whole current of their Declarations. *And they always reckoned Magna Charta, the Petition of Right and Trialls by Juries, the Chief and moſt Fundamental of all Laws. See their* 1. *Remonſtrance: Therefore in their* 7. *Article againſt* Strafford, *They charged him with High Treaſon, for giving Judgements againſt mens Eſtates, without Trialls by Juries. Much aggravated by Maſter* St. Johns *in his aforeſaid Argument againſt* Strafford. And for the better preſervation of Legall Trialls by Juries, it is provided in the Bill of Attainder of *Strafford*, that the caſe of the ſame Earl ſhould not be uſed as a Preſident in ſucceeding times. *And in two of this Parliaments late Declarations* 9. *Febr.* and 17. *March* 1648. *The Parliament promiſeth; To preſerve and keep the fundamental Laws of the Land, for preſervation of the Lives, Liberties and Properties of the people, with all things incident thereto. Now to erect an arbitrary lawleſs High Court, to give judgement a-*

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gainſt mens Lives and Eſtates, and attain their bloods, without Endictment found by a grand Jury, and a trial by a Jury of twelve ſworn men vicineto, *is a far fouler breach of truſt in them againſt their Sovereign Lords the People, than all they charged the King withall, and a far higher act of tyranny and injuſtice then either the late King, or* Empſon *and* Dudley, *or* Strafford *were accuſed of.* But if they alledg, They do not put down Juries in general, but only in ſome particular mens caſes and upon neceſſity, I nnſwer, *That we are all born Freemen of* England *alike, That our ancient known Laws, Courts, and trials by Juries are our inheritance equal alike to all. And one party or part of the people ought not to be diſherited, diſfranchiſed or forejudged no more then another. No man can be ſaid guilty of any crime untill he be legally convicted and ſentenced, the Law muſt firſt go upon him and condemn him,* Ubi lex non diſtinguit, non eſt diſtinguendum. *If we do not live all under one Law and form of Juſtice, we are not all of one Common-wealth.* See the aforementioned Gentlemans Argument, *againſt the ſpecial Commiſſion of the Court of* York. For *Neceſſity*: our preſent power is under none, but the fears and terrors of their own guilty conſciences. No apparence nor probability of any enemy by their own confeſſion; nor can they plead in their excuſe, a neceſſity which they have brought upon themſelves. I know *ſome Kings have,* de facto, *uſed the Animadverſion of the Sword to cut off ſuch powerful and dangerous perſons as could not ſafely be called to account by the Law; ſo dyed* Joab, Adonijah, *&c. for which the rule is,* Neminem adeo eminere debere, legibus interrogari nequeat; qui jus æquum ferre non poteſt, in eum vim haud injuſtam fore. No man ought to advance himſelf above the powers of the Law; he that will not ſubmit to equal right, if he be cut off by violence, ſuffers no wrong; *but this is to be underſtood of the eminency and greatneſs of the perſon, not of the greatneſs of the crime, whereof no man is to be forejudged, becauſe a great crime may prove a great calumny, untill a legal trial have adjudged*

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it. But there is no person in *England* so eminent for power or authority, but that the least of *Bradshaws* Ban-dogs can drive him to the Slaughter-house, and make him offer his throat to *Keeble*. Therefore *Animadversio Gladii*, if at any time lawful, is now unlawful. *To make great examples upon men of little power, is great injustice.* But the way of this Court is not *Animadversio per Gladium.* It is a Mocking, a Counterfeiting, an Adulterating and Alchimisting of Justice; it is to falsifie her weights and ballance, and steal her sword to commit Murder withall.

6. *By the known Laws Matter of fact is intrusted to the Jury, matter of Law to the judges, to prevent all errours, combinations and partialities. The Judges are sworn to do justice according to the Law; the Jury are sworn to find according to their evidence.* But in this High Court the Commissioners or Judges are all packed, confiding men, chosen by and out of one party, to destroy all of a different party. *They usurp the office of Judges, not being sworn to deal well and lawfully with the people (as by the said* Stat. 18. Ed. 3.*) nor do justice according to the Law. But onely to execute powers given by the said* Act, 26. Mar. 1650. *And they arrogate (as Jury-men) to be Triers of the Fact, without being sworn, to find according to evidence. So that they are judges, juries, and parties, (And for ease of their tender consciences) without any Oath of Indifferency.* A most excellent *Compendium* of Oppression. They may go to the Devil for injustice, and not be forsworn. Great is the priviledge of the godly. See Colonel *Andrews* three Answers.

7. *The prisoner may except against his jurors, either against the Array, if the Sheriff or Baily impannelling the jury, be not wholly disingaged and indifferent, both to the cause, and to the parties, prosecuting, and prosecuted; or against the Poll, he may challenge* 35. *peremptorily, and as many more as he can render legal cause of challenge for.* As for defect of estate, or other *abilities*, or for *partiality, Disaffection, Engagement,*

gagement, Infamy. But this Array of jury-men judges (Medley ſo new we know not how to expreſs it) though pick ed and empannelled by an engaged remainder of the Com mons, and abnoxious to all exceptions, muſt not be chal lenged, their backs are too much galled to indure the lea touch. *Take heed you ſcandal not the Court* (*cries* Mr. At tutney) See Col. *Andrews* three Anſwers.

8. *Many exceptions in a legal Trial, are allowed again Imperfection, Uncertainties and Illegalities in the Bill of En dictment, for the advantage of the Priſoner.* But no Excep tions are allowed againſt theſe illegal Articles of Impeach ment, which are made uncertain, intricate and obſcure, an ambiguous purpoſely to puzle, confound and entangle th Reſpondent.

9. *By the Law a bill of Endictment muſt have two full an clear lawfull witneſſes to every conſiderable Matter of Fact both at finding the Bill and at the Trial.* Cooks 3. Inſtit. pag 25, 26. And *Probationes debent eſſe luce clariores.* Proof muſt be as clear as the Sun, *not grounded upon Inferences Preſumptions, Probabilities.* And the Priſoner muſt be *Pro vablement Attaint*, ſaith the Stat. 25. Ed. 3. chap. 2. Cook 3. Inſtit. pag. 12. *The word* (*attainted*) *ſhews he muſt be le gally proceeded with; not by abſolute power as formerly ha been uſed* (*and as is now uſed by this bloody High Court.*) Bu before theſe Slaughter-men of the High Court, all manne of witneſſes, Legall or Illegal, one or two, ſworn or no ſworn, or apparently forſworn and ſuborned, and all proof clear or not clear are ſufficient. The Priſoner is ſent thithe foredoomed, and hath its deaths Mark, his fate in his fore head.

Where there is but one witneſs, it ſhall be tried by combate before the Earl Martial. *Cooke*, ibidem.

10. The ſaid Act 26. *March* 1650. *carries two fac under one hood, and looks backwards as well as forwards.* T *facts precedent as well as ſubſequent, the ſaid Act*, contrar to the nature of all Laws, whoſe office is to prohibit it be fore it puniſh, to warn before it ſtrike. Where St. *Paul* de fineth, *Sin to be the breach of Commandement, or Law. I*

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had not known Sin but by the Law. The Law muſt therefore be precedent to the Offence. But theſe Acts are not *Laws to admoniſh*, but *Lime-twigs and Traps to enſnare* & catch men. See Col. *Andrews* 3. Anſwers at the latter end of this book.

Fourthly and laſtly, I am to conſider, *To what end and purpoſe this new invented High Court is conſtituted and appointed?* Concerning which ſee a Letter dated 6. June 1650. *Stilo veteri*, from the *Hague*, (ſuppoſed to be *Walter Strickelands, the Parliaments Agent there*) as I find it in *Walter Froſts* brief Relations of ſome affairs and tranſactions, &c. from Tueſday *June* 11. to *June* 18. 1650. wherein the Epiſtoler hath theſe words, "*One piece of the cure* (*viz.* of "the dangers that threaten your new State) *muſt be Phlebo-*"*tomy*, but then you muſt begin before Decumbency, and "then it will be facile to prevent danger, *&c.* they are here "moſt of all afraid of your High Court of Juſtice, which "they doubt may much diſcourage their party, they wiſh "you would not renew the power thereof, but let it expire: "then they think that after *Michaelmas* they may expect "aſſiſtance with you. And indeed that Court is of almoſt "as much uſe to you as an Army: and will prevent the "riſing of as many Enemies, as the other will deſtroy, "only you muſt be ſure to execute juſtice there with all ſe-"verity. A few of the firſt ſtirrers taken away, by the "power thereof, without reſpect to Couſin or Countrey, "will keep all the reſt quiet. But *whoſoever that Court* "*condemns, let them be as already dead*, &c. But *let them* "*be moſt free in cutting the* vena Cœphalica (*that is the* "*Presbyterian Party*) *for the* Baſilica (or Royal Party) will "be latent. *The Median* (or Levellers) would be ſpared "as much as may be, that the body be not too much "emaciated. Beſides the blood is moſt corrupt in the "Cœphalicks (*or Presbyterians*) and is the very *cauſa con-*"*tinens* of your diſeaſe. You need not fear to take freely "of this vein, &c. Here you ſee this State Mountebank gives you the uſe and application of this corraſive. (The

High

High Shambles of Juſtice) ſo fully that I ſhall not need to comment upon it. And in the latter end of a Letter from *Cromwell*, dated from *Dunbar*, 4. *Sept.* 1650. (as I find it in *Politicus*) ſpeaking of his new purchaſed victory over the *Scots*, *Cromwell* ſaith, *God puts it more and more into your hands to improve your power*, (viz. your abſolute authority) *we pray own his People more and more*, (that is, the Army) *they are the Chariots and Horſmen of Iſrael* (of the Kingdome of the Saints) *diſown your ſelves but own your authority* (which you enjoy under the Protection of the Army, your Lords Paramount) *and improve it, to Curb the Proud and Inſolent*, &c. (That is, all men of different opinions and parties from them, that will not engage to be true and owe Allegiance to the Kingdome of the Saints, and reſign their Laws, Liberties and Properties to their luſts and wills.) That I have not miſconſtrued the contents of *Cromwells* myſticall letter, will appear by *a Diſcourſe in the ſame Politicus*, Numb. 17. from Thurſday *Sept.* 26. to *Octob.* 3. 1650. Where (according to his cuſtome) delivering forth State-Oracles to the people, He tells them in plain Engliſh, *That after the Confuſions of a Civil War, there is a neceſſity of ſome ſettlement, and it cannot be imagined (the Controverſie being determined by the Sword) that the Conquerours ſhould ſubmit to the conquered*, though more in number then themſelves. *Nor are they obliged to ſettle the Government again according to the former Laws and Conſtitutions, but may erect ſuch a form as they themſelves conceive moſt convement for their own preſervation. For after a Civil War the written Laws (viz. eſtabliſhed Laws of the Nation) are of no force, but onely thoſe which are not written.* (And a little after) the King having by Right of war loſt his ſhare and intereſt in authority and power, being conquered, *by Right of war the whole muſt needs reſide in that part of the People which prevailed over him:* There being no middle power to make any claim, and ſo *the whole Right of Kingly Authority in* England *being by Military Deciſion reſolved into the prevailing*

vailing Party, what Government ſoever it pleaſeth them to erect, is as valid de Jure, *as if it had the conſent of the whole Body of the People.* That he ſhould affirm, That after a Civil War the Eſtabliſhed Laws ceaſe, is ſo groſſe a piece of ignorance, that there is hardly any Hiſtory extant but confutes it: After our Barons War, and the Civil War between *York* and *Lancaſter*, Our Eſtabliſhed Laws flouriſhed; ſo did they after the *Norman* Conqueſt. How many Civil Wars in *France* have left their Laws untouched? That of the Holy Leage laſted 40. years; *Belgia* keeps her Laws maugre her inteſtine Wars: What is now become of the Parliaments declared Supreme Power and Soveraign Lord the People, the Originall and Fountain of all juſt power? are they not all here proclaimed Earbored ſlaves for ever? But I had thought that an Army of Mercenary Saints raiſed, payed and commiſſioned by the Parliament to defend the Religion, Laws, Liberties and Properties of the people, and the Kings Crown and Dignity, according to the Proteſtation and Covenant, and the Parliaments Declarations, would not have made ſuch carnall and hypocriticall uſe of their Victories gotten by Gods providence and the peoples money, as to deſtroy our known Laws, Liberties and Properties, and claim by Conqueſt, and impoſe their own luſts for Laws upon us, thereby rendering themſelves Rebels againſt their God, their King and Country. Nor was it ever the State of the Quarrell between the King and Parliament whoſe ſlaves the people ſhould be? Or whether we ſhould have one King, Governing by the known eſtabliſhed Laws? or 40. Tyrants Governing by their own luſts and arbitrary votes, againſt our written Laws? Nor can the ſucceſſe make a Conqueſt juſt, unleſs the cauſe of the war were originally juſt, and the proſecution thereof juſtly managed. As 1. To *vindicate* a Juſt Claim and Title. 2. *Ad res repetendas.* To recover Damages wrongfully ſuſtained. 2. To repell an injury

injury done to your ſelf, or to your Ally in league with you.

The ultimate end of theſe wicked endeavours is, To eſtabliſh and cement with the blood of their adverſaries, the Kingdome of the Brambles or Saints, already founded in blood, by cutting off all ſuch by their ſaid New Acts of Treaſon and High Court of Juſtice as will not bow their Necks to their Iron yoke. Which appears more clearly in an *Additionall Act giving farther power to the ſaid High Court*, (dated 27. *Auguſt* 1650.) *To hear and determine all Miſpriſions or Concealments of Treaſons* mentioned or contained in any of the ſaid Articles or Acts of Parliaments: And to inflict ſuch puniſhments, and award ſuch execution, as by the Laws and Statutes have been, or may be inflicted. *This Law (if I miſcall it not) conſidering how they have multiplied Treaſons by their ſaid* 3. *New Statutes*, 14. May, 17. July 1649. *and* 26. March 1650. *Whereby bare words without Act are made High Treaſon, contray to thoſe well approved Statutes*, 25. Edward 3. *chap.* 2. 1. Henry 4. *chap.* 10. 1. Edward 6. *chap.* 12. 1 Mariæ, *chap.* 1. Cook 3. Inſtit. *ſaith, That words may make an Heretick not a Traitor*, Chap. High *Treaſon. And the Scripture denounceth a woe to him, That maketh a man an Offender for a word, is one of the cruelleſt, and moſt generally dangerous and entrapping that ever was made. For hereby all relations, Husband and Wife, Parents and Children, Brothers and Siſters, Maſter and Servants, are all injoyned to be informers againſt and accuſers of one another (which is to take upon them the Devils office (and be* Accuſatores Fratrum) *for light and vain words ſpoken onely in paſſion or ignorantly: or elſe they fall into the jaws of this all-devouring Court* from whence, no more then from hell, there is no redemption) *for Miſpriſion of Treaſon: the Penalty whereof is loſs of liberty and lands for life, and of goods for ever,*

Who

Who can imagine leſſe hereby, but that *our Statiſts intend to raiſe a yearly revenue by this Court, by Forfeitures and Confiſcations: and to erect an Office of Maſter of the States Forfeitures: like Empſons and Dudleys in* Hen. VII. *time aforeſaid.* And ſo continue this Court, to weede out the Ancient Inhabitants *Canaanites* and *Amalekites.* The ſaid Additional Act, 27. *Aug.* 1650. concludes, That the ſaid High Court ſhall not Examine, Try or proceed againſt any perſon other then ſuch as ſhall be firſt by name appointed by the Parliament or Councel of State. It ſhould ſeem the Parliament and Councel of State ſupply the want of a Grand Inqueſt; and their Appointment is inſtead of a Bill of Endictment found and preſented. *As Aſſuredly as the High Inquiſition was erected in Spain by Ferdinando and Iſabella to extirpate the Mahometan Moors: And the ſaid Councel of Blood in the Low Countreys, by the Duke D' Alva to weed out the Lutherans, Calviniſts and Anabaptiſts. So is this High Court ſet up in England, to root out the Royalliſts, Presbyterians and Levellers; and generally all that will not wholly concur with our Independents in Practice and Opinions.* As will manifeſtly appear when their work is done in *Scotland*, which will ſoon be effected: the more zealous Scots being now as ready to ſell their Kingdome; as they were formerly to ſell their King.

10. *Decemb.* 1650. A New Act paſſed, for eſtabliſhing an High Court of Juſtice in *Norfolk, Suffolk, Huntington, Cambridge, Lincoln,* and the Iſle of *Ely* &c. And ſo by degrees this gangrene ſhall enlarge it ſelf all the Kingdome over.

I. Conclude therefore upon the Reaſons aforeſaid; That becauſe the Commiſſioners or Judges are not ſworn to do Juſtice according to the Laws: and are parties pre-ingaged (as well as their Maſters, and pay-Maſters, that named them) ignorant men, and of vile and baſe profeſſions, uncapable of places of Judicature, Neceſſitous Perſons, and ſome of them Scandalous: and the High Court it ſelf hath neither Law, Preſident, nor any juſt Authority for conſtituting thereof or the Judges therein. And all proceedings before them are directly Contrary to *Magna Charta*, the Statute 25. *Edw.* III. chap. 2. The Petition of Right and all other known and Eſtabliſhed Laws, and the continual Practice of our Nations; and (in many points) contrary to the Law of God and the Dictates of Right Reaſon *That theſe Commiſſioners are Incompetent Judges; Their Court an Extrajudicial Conventicle, tending to diſinherit, diſfranchiſe*

and enſlave all the Freemen of the Nation; and all Proceedings before them are void, and coram non Judice. See Col. *Andrews* three Anſwers. The ſaid High Court of Juſtice to be a meer bloody Theater of Murder and Oppreſſion. It being againſt Common Reaſon, and all Laws divine and humane, That any man ſhould be Judge in his own Cauſe. *Neminem poſſe in ſua cauſa judicem eſſe,* Is the Rule in Law. *But this Parliament and Councel of State know they cannot eſtabliſh and confirm their uſurped Tyranny, (The Kingdome of the Saints,) eate up the People with Taxes, and ſhare publick Lands, Offices, and Money amongſt themſelves, enſlave the Nation to their Lawleſs wills and pleaſures, but by cutting off the moſt able and active men of all oppoſite parties by ſome ſuch expedient as this Arbitrary Lawleſs High Court is. The old Legal way by Juries (being found by John Lilbourns Trial) to be neither ſure enough nor ſpeedy enough to do their work. A Butcher-Row of Judges being eaſier packed, then a Jury who may be challenged. So that it fareth with the People of* England, *as with a Traveller fallen into the hands of Thieves. Firſt, they take away his Purſe. And then, to ſecure themſelves, they take away his life, So they Robbe him by Providence, And then Murder him by Neceſſity. And (to bring in their third inſiſting Principle) they may alleage; They did all this upon Honeſt intentions; to enrich the Saints, and rob the Egyptians. With theſe three Principles they Juſtifie all their Villanies.* Which is an Invention ſo meerly their own, That the Devil muſt acknowledge, They have propagated his Kingdome of Sinne and Death more by their impudent Juſtifications, then by their Turbulent Actions.

An Additional Poſtſcript.

SInce the Concluſion of the Premiſes, hath happned, the Trial of that worthy Knight Sir *John Stowell*, of the County of *Sommerſet*: Who having bin often before this Court, hath ſo well defended himſelf, and wiped off all Objections, and made ſuch good uſe of the Articles of the Rendition of *Exceſter*, that

in

in the Opinion of all men, and in deſpite of their enſnaring Acts for New Treaſons, he cannot be adjudged guilty of any Treaſon, Old or New, which was the Summe and Complement of the Charge againſt him. Wherefore the Court put off his Trial for a longer time, to hunt for New Crimes and Witneſſes againſt him. At laſt came into the Court as a witneſs *John Aſhe*, notwithſtanding he is a Party many ways engaged againſt him. 1. *Aſhe* is a Parliament-man, in which capacity Sir *John Stowel* bore Arms for the King againſt him. 2. *Aſhe* as a Parliament-man is one of the conſtitutors of this murderous Court and the Judges thereof, and therefore their Creatures (who expect rewards from them) bear a more awfull reſpect to his teſtimony, then a witneſs ought to have from Judges. 3. It is publickly known that *Aſhe* hath begged of the Houſe a great ſumme of money out of the Compoſition for, or Confiſcation of Sir *Johns* Eſtate. And 4ly. It is known to many, That during Sir *Johns* many years Impriſonment, *Aſhe* often laboured with Sir *John* to ſell unto him for 4000l. a Parcel of Land which coſt Sir *John* above 10000l. promiſing him to paſſe his Compoſition at an eaſie rate, to procure his enlargement from Priſon, and ſend him home in peace and quiet if he granted his deſire. But although with all their malicious diligence, they cannot find him guilty of High Treaſon, yet their Articles of Impeachment Charge him in general Tearms with Treaſon, Murder, Felony, and other High Crimes and Miſdemeanors; and amaſſe together ſuch a Sozites and an Accumulation of offences, as if one fail another ſhall hit right to make him puniſhable in one kind or other: ſuch an hailſhot charge cannot wholly miſſe; either they will have life, eſtate, or both: Contrary to the nature of all Endictments and Criminal Charges whatſoever; which ought to be particular, clear and certain (Lamb. pag. 487.) that the accuſed may know for what Crime he puts himſelf upon iſſue; But this Court (as High as it is) not being Conſtituted a Court of Record; the Priſoner, and thoſe that are concerned in him, can have no Record to reſort to either. 1. To demand a Writ of Error, in Caſe of Erroneous Judgment. 2. To ground a plea of *Autrefois Acquite*, in caſe of New Queſtion for the ſame fact. 3ly. Or to demand an enlargement upon Acquital.

Or 4ly. To demand a writ of conſpiracy, againſt ſuch as have combined to betray the life of an innocent man. Whereby it follows, That this prodigious Court hath power only to Condemn and Execute; not to Acquit and give Enlargement; Contrary to the Nature of all Courts of Judicature, and of Juſtice it ſelf: it is therefore a meer *Slaughter-houſe* to Commit Free-State Murders in, without, nay againſt Law and Juſtice: and not a Court of Judicature; to condemne the *Nocent*, and abſolve the *Innocent*. And the Judges of this Court run Parallel with their Father the Devill; who is ever the Miniſter of Gods wrath and fury, never of his Mercy.

The humble Anſwer of Col. *Euſebius Andrews* Eſquire, to the Proceedings againſt him before the Honourable, The high Court of Juſtice 1650.

THe ſaid Reſpondent (with favour of this Honourable Court) reſerving and praying to be allowed the benefit and liberty of making farther Anſwer, if it ſhall be adjudged neceſſary, offereth to this Honourable Court,

That by the Stat. or Charter ſtiled *Magna Charta*, which is the Fundamental Law, and ought to be the Standard of the Laws of *England*, Confirmed above 30. times, and yet unrepealed, it is in the 29. Chapter thereof granted and enacted,

1. *That no Freeman ſhall be taken or impriſoned, or be diſſeiſed of his Freehold or Liberties, or Free-Cuſtoms; or be out-lawed or exiled, or any other ways deſtroyed,* Nor *we ſhall not paſs upon him, but by a lawful Judgement of his Peers, or by the Law of the Land.*

2. *We ſhall ſell to no man, nor defer to any man Juſtice or Right.*

By the Stat. 42. Ed. III. chap. III. The Great Charter is commanded to be kept in all points: and it is enacted.

That if any Stat. be made to the contrary, That *ſhall be holden for none.*

By the Act 26. March 1650. entituled, An Act for eſtabliſhing an high Court of Juſtice, *Power is given to this Court; To Try, Condemn and cauſe execution of death to be done, upon the Freemen of* England, *according as the Major number of any* 12. *of the Members thereof ſhall judge to appertain to Juſtice.*

And thereupon the Reſpondent doth humbly inferre, and affirm that *the Tenor of the ſaid Act is diametrically oppoſite to, and inconſiſtent with the ſaid Great Charter,* And is therefore by the ſaid recited Stat. 42. Ed. III. to be holden for none.

Secondly, That it can with no more Reaſon, Equity or Juſtice, hold the reputation or value of a Law, (if the ſaid Stat. had not bin) then if (contrary to the ſecond clauſe of the 29. chap.

of

of *Magna Charta*) it had bin alſo enacted, *That Juſtice and Right ſhall be deferred to all Freemen, and ſould to all that will buy it.*

By the Petition of right, 3. *Car.* upon premiſing, That contrary to the Great Charter, Trials and Execution had bin had and done againſt the Subjects, by Commiſſions-Martial, &c. it was thereby prayed, and by Commiſſion enacted, That

1. *No Commiſſions of the like nature might be thence-forth iſſued*, &c.

2. *To prevent leſt any of the Subjects ſhould be put to death, contrary to the Laws and Franchiſes of the Land.*

The reſpondent hereupon humbly obſerveth, and affirmeth, *That this Court is (though under a different ſtile) in nature, and in the Proceedings thereby directed, the ſame with a Commiſſion Martial.* The Freemen thereby being to be tried for life, and *adjudged by the Opinion of the Major-Number of the Commiſſioners ſitting, as in Courts of Commiſſioners-Martial was practiſed*, and was agreeable to their conſtitution: *And conſequently againſt the Petition of Right*: in which he, and all the Freemen of *England* (if it be granted there be any ſuch) hath and have Right and Intereſt, and he humbly claimes his right accordingly.

By the Declarations of this Parliament, Dec. and Jan. 17. 1641. The benefit of the Laws, and the ordinary courſe of Juſtice are the Subjects Birthright.

By the Declaration, 12. July 6. 1. Octob. 1642. *The Proſecution of the Laws, and due adminiſtration of Juſtice, are owned to be the juſtifying cauſe of the War, and the end of the Parliaments Affaires managed by their Swords and Counſels, and Gods curſe is by them imprecated, in caſe they ſhould ever decline thoſe ends.*

By the Declaration 17. *Aprill* 1646. Promiſe was made not to interrupt the courſe of Juſtice, in the ordinary Courts.

By the Ordinance or Votes of Non-addreſſes, Jan. 1648. It is aſſured, *That, though they lay aſide the King; yet they will govern by the Laws, and not interrupt the courſe of Juſtice, in the ordinary Courts thereof.* *

* They forget the 1. Declarations 9 *Febr.* 17 *March* 1648.

And therefore this Reſpondent humbly averreth and affirmeth, That *the Conſtitution of this Court, is a breach of the publick Faith of the Parliament exhibited and pledged in*

in thoſe Declarations and Votes to the Freemen of England.

And upon the whole matter, the Reſpondent (ſaving as aforeſaid) doth affirm for Law and claimeth as is right. *That*,

1. This Court in defect of the validity of the ſaid Act, by which it is conſtituted, hath no power to proceed againſt him, or to preſs him to a further Anſwer.
2. That by vertue of *Magna Charta*, The Petition of right, and the before cited Declarations, he ought not to be proceeded againſt in this Court, but by an ordinary Court of Juſtice, and to be tried by his Peers.

And humbly prayeth: That this his preſent Anſwer and Salvo *may be accepted and regiſtred.*

Euſebius Andrewes.

The Second Anſwer of Col. *Euſebius Andrewes*, To the Honourable, The High Court of Juſtice. 1650.

THe ſaid Reſpondent (with the Favour of this Honourable Court) reſerving and praying to be allowed the Benefit, and liberty of making further Anſwer, if it ſhall be Neceſſary. In all humbleneſs for the preſent Anſwer, offereth to this Honourable Court,

That by the Letters and genuine ſenſe of the Act entituled An Act for eſtabliſhing an high Court of Juſtice. *The ſaid Court is not qualified to try a Freeman of* England (ſuch as the Reſpondent averreth himſelf to be) *for life in caſe of Treaſon.*

For that: 1. *The ſaid Court is not conſtituted a Court of Record; neither hath Commiſſion returnable into a Court of Record.*

So that: 1. *The State cannot upon the Record* (and but upon Record cannot at all) *have that account of their Freemen, which Kings were wont to have of their Subjects, and States exact elſewhere at the hands of their Miniſters of Juſtice.*

2. *The Freemen, and thoſe who are or may be concerned in him,*

can

can have no Record to reſort to, by which to preſerve the Right due to him and them reſpectively. viz.

1. *A writ of Error* in caſe of erronious judgment.
2. *A plea of Auterfoies acquit*, in caſe of new queſtion for the ſame fact.
3. *An Enlargement* upon Acquitall.
4. *A Writ of Conſpiracy*, not to be brought untill Acquitall, againſt thoſe who have practiſed to betray the life of the Reſpondent.

1. *The Writ of Errour is due by Preſidents.*
Paſchæ 39. Ed. III. John of Gaunts Caſe. Rot. Parliament. 4. Ed. III. Num. 13. Count de Arundells Caſe. Rot. Parliament 49. Ed. III. Num. 23. St. *John* of *Lees* Caſe.
2. *Auterfois acquit* appears by
Wetherell and *Darleis* Caſe. 4. Rep. 43. *Eliz.* *Vaux* his Caſe. 4. Rep. 33. *Eliz.*
3. *The Enlargement* appears by
Stat. 14. *Hen.* IV. chap. 1. Diers Reports fol. 121. The year book of Ed. IV. 10. fol. 15
4. *The writ of Conſpiracy*, by
The Poulters Caſe. 9. Rep. fol. 55.

This Court is to determine at a day, without account of their proceedings, and have power to try, judge, and cauſe Execution: but not to acquit or give Enlargement. So that the nocent are thereby puniſhable; the injured and betrayed are vindicable. Which are defects incompatible with a Court of Juſtice, and inconſiſtent with Juſtice it ſelf; and the honor of a Chriſtian Nation and Common-wealth.

2. *The Members of this Court, are by the ſaid Act directed to be ſworn.*

1. *Non in conſpectu populi*; For the Freemans ſatisfaction.
2. *Not in words of Indifferency* and obliging in equality.
3. *But in words of manifeſt partiality*, viz.

You ſhall ſwear, That you ſhall well and truly, according to the beſt of your skill and knowledge, *execute the ſeverall powers given you by this Act.*

1. *If the Court be Triers and Judges too, it is humbly offered by the reſpondent, that it is but reaſonable, that they ſhould be*

ſworn

ſworn as triers, in the ſight of the Freeman who ſhall be upon his Triall.

2. *And, that as Juſtices of Oyer and Terminer* (They being authorized to hear and determine by the words of the Act.) *They ſhould take an oath, ſuch as is uſual and equal, ſet down* Ed. III. Viz. *You ſhall ſwear, that well and lawfull you ſhall ſerve our Lord the King, and his People in the Office of Juſtice, &c. And that you deny to no man Common Right.*

3. Or that this Court (taking Notice of ſuch high matters as Treaſon, upon the guilt whereof the Freemans life depends) ſhould take an Oath (at leaſt) as equall as a Juſtice of the Peace. *Daltons Juſt. of Peace, fol.* 13. the words are,

I A. B. do ſwear that I will do equall Right, &c. *according to my beſt wit, cunning and power, after the Law and Cuſtomes of the Land, and the Statutes thereof made,* &c.

4. If the Court will be Judges and Triers too, (for they have power given them to conclude the Freemen, by the opinion of the major number of twelve, holding ſome reſemblance (but with a ſignal difference) with the verdict of a Jury) it were but reaſonable that they ſhould take an Oath correſpondent to that uſually adminiſtred to Jury-men. The words are, You ſhall *well and truly try, and true deliverance make between the Keepers of the Liberties of England, and the Priſoner at the Bar, according to your evidence.* So help you God, &c.

5. When this Court (as it is now conſtituted) hath condemned a Freeman, by applying their skill and knowledge to the power given them, whether juſtly or not: the Oath injoyned them by the Act 26. March, 1650. is not broken, literally; as to be exactable by man, though God will have a better account.

And therefore upon the whole matter premiſed: The Reſpondent (ſaving as before) averreth for Law and Reaſon: This Court by the words of the Act conſtituting it; is not qualified, (in reſpect of the objected defects) to paſſe upon him for life in caſe of Treaſon, And prays this his 2. Anſwer may be received, with the *Salvo's*, and regiſtred.

Euſebius Andrews.

The third Answer of Col. *Eusebius Andrews* Esquire, to the Honorable, The High Court of Justice. 1650.

THe said Respondent (with favour of this Honourable Court) reserving and praying to be allowed the benefit and liberty of making further Answer, if it shall be necessary, in all humbleness for present Answer offereth to this Honourable Court,

1. That it is his Right (if he admit this Court to be duly and legally established, and constituted as to their being a Court) to be tried by his Peers; men of his own condition and Neighbourhood.

2. *That it is within the power of this Court, by the Letter of the Act,* 26. March 1650. *Or (at least) not repugnant to the Act, to try him by such his Peers, &c.*

1. *That it is his Right to be tried only so:* appears by

Magna Charta, chap. 29.	25. Ed. 1. chap. 1. and 2.
25. Ed. 3. chap. 9.	25. Ed. 3. chap. 2. and 4.
28. Ed. 3. chap. 4.	37. Ed. 3. chap. 18.
42. Ed. 3. chap. 3.	

By all which this Right is maintainable; *And the Proceedings contrary thereunto will be held for none, and to be redressed as void and erroneous.*

So that if the Laws and Courts were not obstructed in the cases of some sort of Freemen of *England,* the whole Proceedings contrary to these Laws without a Jury of his Peers, were avoidable and reversible by Writ of Errour, as appears by the Presidents vouched in the Respondents second Answer.

3. That it is in the Courts power, To try the Freeman, and consequently the Respondent, by a Jury of his Equalls, The Court is humbly desired to consider the words of qualification.

1. *The Court is Authorised; To hear and determine: and so* (if at all Commissioners) *then Commissioners of Oyer and Terminer, and such Commissioners, in their naturall constitution and practicall execution, do proceed against Freemen according to Law.*

Law by a Jury of their Peers, and not otherwiſe.

2. *Authoriſed to proceed to Trial, condemnation and execution: But not reſtrained to the manner limitative:* As, *to Triall by the Opinion of the Court, as Triers*, Nor *excluſive*. As, *to Triall per pares. But is left in the Manner, as in the Judgment it ſelf. To the Opinion of the major part of* 12. *and if they ſhall think fit to try by a Jury, it will be no offence againſt the Act, there being no Prohibition to the contrary.*

And though this Reſpondent inſiſteth upon his ſaid Right, conſiſting with the Courts ſaid power, and the more to induce the Court to grant him his ſaid Right; *He humbly repreſenteth the wrong done to himſelf, and in him to the Free-mauzy of England in the following particulars, againſt their juſt Rights depending upon ſuch Trials to be allowed or denied.*

1. *Challenges to his Triers peremptory, or with cauſe of Challenge.*

2. *Seeing, hearing, and counter-queſtioning the witneſſes for* clearing of the Evidence: in *matter of Fact* and *Circumſtance.*

3. *The being convicted or acquitted by a full and fully conſented verdict.*

To all which benefits as his undoubted Right, and the Right of all the Freemen of *England*, the Reſpondent maketh claim by theſe Reaſons, Laws and Preſidents following.

1. *The benefit of Challenges by the learning of Stamford* in his Pleas of the Crown, Title *challenge* fol. 150. To challenge 35. without Reaſon ſhewed, and with Reaſon ſhewn, without Number adjudged 32. Hen. VI. in *Poinings* caſe, abridged by Fitzherb. Tit. *Challenge*, fol. 26. allowed in *Hillary* 1. *Jac.* Sir *Walter Rawleigh* and *Brooks.*

2. *To the hearing and queſtioning the value and weight of the witneſſes.* The Laws are plain in *Stamfords* pleas of the Crown fol. 163, 164. Stat. 1. and 2. of Phil. and Mary, Chap. 10, 11. 1 Ed. VI. chap. 12. Cooks 3. Inſtit. pag. 12. upon the words in the St. 25. Ed. III. chap. 2. (Provablement attaint) *Becauſe the puniſhment was heavy, the proof muſt be punctual, and not upon Preſumptions, or Inferences, or Streins of wit, nor upon Arguments ſimili, or Minori ad Majus, &c.* But upon good and clear proofs, made good alſo by the St. 1. Ed. c. 6. 19. Ed. c. 1.

A

3. *A verdict by Jury paſſeth from all, or not at all, in this way of proceeding by the Court immediately: it paſſeth by way of concurrence (or voting) the great fault found with the Star-Chamber; and all Commiſſionary Courts, proceeding without preſentment or Endictment.*

4. *A verdict paſſeth from a Jury before diſcharged, upon their Affairs of buſineſſe, or ſupplies of Nature; to prevent corruption by money or power. In this way of Trial a man may be heard to day, and a Sentence given at leiſure, when the power and will of thoſe by whom the Freeman is proſecuted, be firſt known.* And from ſuch a proceeding this Reſpondent can hope little equality; he being (to his knowledge) forejudged already by them.

And therefore (if at all this Honorable Court think fit to proceed to a Trial of this Reſpondent) he claims the benefit of Trial *per pares*: by *Evidence viva voce*. And reſts on the Opinion of the Court; ſaving (as formerly) Liberty of farer Anſwer, if over-ruled.

And prayes that this his Anſwer and Salvos may be accepted and regiſtred.

Euſebius Andrews.

THE HISTORY OF Independency.

The Fourth and laſt Part.

Continued from the Death of his late Majesty, King Charls the Firſt of happy Memory, till the deaths of the chief of that. *Junctο.*

By T. M. Eſquire, a Lover of his King and Country.

Cicero Epiſt. Lib. 2. Ep. 3.

Civem mehercule non puto eſſe, qui temporibus his ridere poſſit.

Id. Lib. 5. Ep. 12.

Habet autem præteriti doloris ſecura recordatio delectationem.

LONDON,
Printed for *H. Brome* at the *Gun* in *Ivie Lane*; and *H. Marſh* at the Princes Arms in *Chancery-Lane*. 1660.

TO THE

SACRED MAJESTY

OF

Great BRITTAINS MONARCH.

(The Triumphant Son of a most Glorious Father, who was in all things More than Conquerour.)

The Illuſtrious ofspring of a Royal Traine of ANTIENT PRINCES

CHARLES

The Second of that Name, Entituled

PIOUS

By the ſole Providence of an Almighty hand, of *England, Scotland, France* and *Ireland* King, Defender of the Faith.

Reſtorer *of the* Engliſh Church *unto its* Priſtine State *and* Glory.

Patron *of* Law *and* Liberty,

Not to be Seconded by any but himſelf,
Who *is the beſt of Kings.*

And of all Vertue to the World

THE

GRAND EXEMPLAR.

Moſt Dread Soveraign.

IT *is neither arrogance nor ambition that makes me thus boldly to intrude into your preſence, for I know ſo great a Sun will quickly dazle my weak eyes, but becauſe the former parts were honoured with your royal Fathers name, this therefore hopes to be ſheltered under your Princely wing, this but concluding what they begun, and making you the happy repayrer of thoſe Breaches, which that powerfull and reſtleſs faction of* Independency *made on the* Regalia *of* England, *that poſterity may as well ſee, in this, their felicity, by you, in the ruine of that faction, as formerly they read their own miſery, in the Treaſonable actings thereof, againſt his late Majeſty of ever glorious memory.*

I *have no more but only to pray, that you may in this World be bleſſed with the*

wiſdom, and happyneſſe of Solomon, *a peaceable, long and all glorious Reign: the age of* Methuſelah, *wherein you may enjoy the full contents of a moſt happy life, and at laſt full of honour and dayes arrive to the perfect fruition of a more glorious Kingdom, in Gods preſence, before whom is fullneſs of joy, and at his right hand pleaſures for evermore.*

This from his ſoul is the daily prayer of
29. Oct. Your Majeſties moſt faithfull
1660. ſubject and Servant.
T. M.

To the Nobility, Gentry, Clergy *and* Commons of ENGLAND.

IT *is I think more out of cuſtome than neceſſity, that I do at this time premiſe any thing, the Subject whereof we treat, having been fatally felt by moſt of the Nation in ſome way or other, yet is it neceſſary that the hiſtory of ſuch turgencies in the State ſhould be communicated, that poſterity may hereafter ſee, in their riſe and fall, the certain puniſhment of Treaſon, though for a time guarded and upheld by armed violence, and the higheſt policies of a ſubtle malice.*

It is ſaid of the Epicureans, *that, though they acknowledged no providence, nor any immortality of the ſoul, and propoſed pleaſure as the only end of their lives, yet they maintained (moſt of them) that they that were lovers of pleaſure, muſt of neceſſity be lovers of Juſtice, and that without virtue it was not poſſible for men to live in true pleaſure, So as it was ſaid of the* Stoicks (*who were for the moſt part notable hypocrites*) *that they ſpoke good things, and did foul actions, but that the* Epicureans *ſpoke and taught things that ſeemed foul and ſhamefull, but did that which was fair and honeſt.*

Certenly theſe two ſects of Phyloſophers might be the very parallel of our late times, wherein our Stoicall Grandees could ſpeak nothing but holineſs, where the practice of their lives was a continued ſeries of horrid Treaſons, while a litle innocent mirth and freeneſs of ſpeech was the greateſt that lay, or indeed could be caſt, upon integrity of their deſpiſed Antagoniſts: ſo that we might ſee Cucullus non fecit Monarchun

It had been well for Eng land *if the ſad occaſions of writin*

this

this hiſtory of the times had never happened: but they have been: And, as our Saviour ſaith, Offences muſt come, but wo be to them by whom they come, *ſo then to declare the actings, and their method and manner, is but ſo to lay them open, that they may for the future be the better avoided and prevented.*

The knowledg of all perſons, the meaning of all matters, and the depth of all ſecrets, is lockt up in hiſtory according to that of Voſsius, *alluding to that of the Roman Poet,* Voſſ. de ſcri. Agr. & de arts. hiſtor.

Qui quid ſit turpe, aut pulchrum, quid utile, quid non
Plenius & melius Chryſyppo & Crantore dixit.

And this I dare promiſe you in the enſuing Manual; without too violent reflections to widen differences: all the obſervations ariſing as naturally from the relations, as ſuteable words do fitly ſupply the ready tongue of a Learned Orator.

It is the general happineſſe at this preſent, that we can, read the downfall of faction, and rejoyce in the glory of reſtored Majeſty with ſafety and content; and I pray God, that all the miſchiefs of the remaining Achitophel's, Shimei's *and* Rabſhakeh's, *may fall upon their own heads: but peace, happineſs and proſperity, may waite on our* Solomon, *that he may be bleſſed, and his throne be eſtabliſhed, before the Lord for ever.*

To Conclude; As your Loyalty in the worſt, oftentimes hath been ſignal (if in nothing elſe yet in ſufferings) ſo diſpiſe not to read this tractate, wherein, I dare preſume, you will find ſomething which before you knew not: the work, 'its true is ſhort, but will not, I hope, want ſubſtance, ineſt enim ſua gratia parvis; *and to remember theſe things certainly cannot be irkſome*——

——Sæpe recordari medicamine melius omni.

to ſee and eſcape danger cauſeth, not only admiration but pleaſure: which that you may receive with content by the peruſall hereof is deſired.

II

I ſhall only add one word in particular, firſt to the Nobility; You are Right Honourable Princes in the Congregation of our Iſrael, Men of renown, exemplarily both in your names and honours. Be as eminent in ſervice for your Prince, as obliged to him for favours, that it may be recorded of you as it is of Davids Worthies. Theſe are the mighty men which David *had, who ſtrengthened themſelves with him in his Kingdom, according to the word of the Lord.*

2. *To the Gentry, You are they whom* Jethro *counſelled* Moſes *to provide out of all the people to aſſiſt him, and be mediatours between Prince and People; approve your ſelves according to that counſel to be able men, ſuch as fear God, men of truth and hating covetouſneſs, ſo ſhall the Lord give a bleſſing as he hath promiſed.*

3. *To the Clergy, God hath made you as a Beacon upon an hill, that you might forewarn* Iſrael *of her ſins, ye are the ſalt of the Earth, while you preach to others be not your ſelves caſt away, but in ſeaſon and out of ſeaſon labour, labour to declare Chriſt not of contention and ſtrife, but ſowe the word to effect that fruit may grow thereby.*

And laſtly to the Commons, who are tumidum & inſtabile vulgus: *I ſhall only wiſh that they will labour for peace, and, according to their Royal Princes dictate in his late Declaration concerning Eccleſiaſtical affairs, acquieſce in his condeſcentions concerning the differences which have ſo much diſquieted the Sate: by which endeavour all good Subjects will by Gods bleſſing enjoy as great a meaſure of felicity as this Nation hath ever done; which is the earneſt prayer of*

No. 2. 1660. *Your, &c.*

T. M.

THE HISTORY OF Independency

The Fourth and Laſt part.

THE former parts of this Book having traced the prevalent and ſtrong Factions of *Preſbyterian* and *Independent*, through the ſeveral devious pathes wherein they marched, and with what deviliſh cunning they did, each, endeavour to be greateſt, by ſurpriſing, or at leaſt undermining the other, until at laſt they unriveted the very foundations of Government, by the execrable murther of their undoubtedly lawful Soveraign, a crime ſo abhorred, that it is even inexpiable, not to be purged with ſacri- The Preme.

fice for ever: I ſay, theſe things having received ſo lively a delineation in the former parts, ſhall need no new recitalls. I ſhall then begin at the end thereof, which was; when the ſacred Reliques of betrayed Majeſty, *ſpecie juſtitiæ*, received a fatal ſtroke from blood-thirſty hands, neither able to protect it ſelf, or be a ſhadow and *Aſylum* for rejected Truth, and unſpotted Loyalty. Thus in an unſetled and confuſed poſture ſtood poor *England*, when the Sceptre departed from *Iſrael*, and the Royal Lyon was not only robbed of, his prey, but his Life: which Barbariſm once committed, what did the Independent Faction, now grown chief, ever after ſtick at? Having taſted Royal Blood, the Blood of Nobles ſeemed but a ſmall thing: to which end, and to heighten and perfect their begun villanies, they erect another High Court of Juſtice, for the Tryal of *James* Earl of *Cambridge*, *Henry* Earl of *Holland*, *George* Lord *Goring*, *Arthur* Lord *Capell*, and Sir *John Owen* Knight: whereof that Horſleech of Hell, *John Bradſhaw*, was alſo Preſident, who with ſixty two more (as honeſt men as himſelf) by a Warrant under the hands of *Luke Robinſon*, *Nicholas Love*, and *J. Sarland*, ſummoned for that purpoſe, did accordingly appear upon *Munday* the fifth day of *February*, 1648. for the putting in Execution an Act of Parliament (as they called it) for the erecting of an High Court of Juſtice, for the trying and adjudging the Earls and Lords aforeſaid; with whom (according to their fore-ſettled reſolution) making ſhort work (for they would admit of no plea) of the five they preſently condemned three to loſe their heads on a ſcaffold in the Pallace-yard at *Weſtminſter*, on *Friday* the ninth day of *March*: which day being come, about ten of the clock that Morning, Lieutenant Collonel *Beecher* came with his Order to the ſeveral

Lords *H. H. C.* tryed

Lords condemned.

ſeveral Priſoners at S. *James*'s, requiring them to come away; from whence they were immediately hurried in Sedans, with a ſtrong guard, to Sir *Thomas Cottons* houſe at *Weſtminſter*, where they continued about two hours, ſpending the whole time in holy devotion and religious exerciſes. After which the Earl of *Cambridge* preparing firſt for the Scaffold, after mutual embraces, and ſome ſhort parting expreſſions to, and for, his fellow-ſufferers, he took his leave, and went along with the Officers, attended on by Dr. *Sibbalds*, whom he had choſen for his Comforter in his ſad condition. Being arrived at the Scaffold, and ſeeing ſeveral Regiments both of horſe and foot drawn up in the place: after he had waited a little while with a fruitleſs hope and expectation of receiving ſome comfortable news from the Earl of *Denbigh* who was his Brother; having ſent for his Servant, who being returned, and having delivered his Meſſage to the Earl of *Cambridge* privately, he ſaid, *So, It is done now*: and turning to the front of the Scaffold he ſpake to this effect. *That he deſired not to ſpeak much, but being by providence brought to that place, he declared to the Sheriff, that the matter he ſuffered for, as being a Traytor to the kingdom of* England, *he was not guilty of, having done what he did by the command of the Parliament of his own Countrey, whom he durſt not diſobey, they being ſatisfyed with the juſtneſſe of their procedure, and himſelf by the commands by them laid upon him; and acknowledging that he had many wayes deſerved a worldly puniſhment, yet he hoped through Chriſt to obtain remiſſion of his ſins. That he had from his Infancy profeſſed the ſame Religion eſtabliſhed by Law in the land: That, whereas he had been aſperſed for evil intents towards the King, all his actions being hypocritically diſguiſed to advance his own ſelf-intereſt: hereto he proteſted his innocency,* *Hamiltons* ſpeech at his death.

nocency; profeſſing he had reaſon to love the King, as he was his King, and had been his Maſter, with other words to the ſame effect. That, as to the matter of invitation into the kingdom, he referred himſelf to the Declaration then in Print; and ſetting forth how ready and willing he was ever to ſerve the Engliſh, wiſhing happineſſe and peace to them, and praying that his blood might be the laſt that ſhould be drawn, heartily forgiving all, ſaying, I carry no rancour along with me to the grave. That his Religion was ſuch as he ſpoke of before, whoſe Tenets he needed not to expreſſe, as being known to all, and himſelf not of a rigid opinion, being not troubled with other mens differing judgments; with which words, and forgiving all that he might have even the greateſt animoſity againſt, he kneeled down with Dr. *Sibbald*, and prayed with much earneſtneſſe and devotion: which pious exerciſe performed, and ſome ſhort ejaculations paſſing between himſelf and the Doctor, the Earl turning to the Executioner, ſaid, *Shall I put on another cap, and turn up my hair? Which way is it that you would have me lye, Sir?* The Executioner pointing to the front of the Scaffold, the Earl replyed, *What, my head this way?* Then the Underſheriffs ſon ſaid, My Lord, the Order is, that you lay your head toward the High Court of Juſtice. Then the Earl, after ſome private diſcourſe with his ſervants, kneeled down on the ſide of the Scaffold, and prayed a while to himſelf; afterwards with a ſmiling and cheerful countenance he embraced the Doctor in his Arms, and then his ſervants, ſaying to them, *Ye have been very faithful to me*, and *the Lord bleſſe you*: then turning to the Executioner, ſaid: *I ſhall ſay a very ſhort prayer while I lie down there, and when I ſtretch out my hand, (my right hand) then, Sir, do your duty, and I do freely forgive you, and ſo I do all the World.*

So

So lying down, and having fitted himſelf, devoutly praying to himſelf a ſhort ſpace, he ſtretched out his right hand, whereupon the Executioner, at one blow, ſevered his head from his body, which was received by two of his Servants, then kneeling by him, into a Crimſon Taffeta ſcarfe; and that with the body immediately put into the Coffin brought thither for that purpoſe, and ſo carried to Sr. *John Hambletons* houſe at the *Mewes*. *Hamilton* executed.

This Execution done, the Sheriffs guard went immediately to fetch the Earl of *Holland*, whom they met in the midway, where the under Sheriffs ſon having received him into his charge, conducted him to the Scaffold, Mr. *Bolton* paſſing all the way hand in hand, with him. Being come upon the ſame, and obſerving he could not ſpake aloud enough to be heard by the People, by reaſon of the numerouſneſs of the Souldiery that encompaſſed him, he ſaid. I think it is to no purpoſe to ſay any thing; then proceeded. That his breeding had been in a good family, that had ever been faithfull to the true Proteſtant Religion, in which he had ever lived, and now reſolved by Gods grace to dye. That he hoped God would forgive him his ſins, though he acknowledged his Juſtice in bringing him thither for puniſhment of them in this World. He obſerved, that he was looked on as one that had ill deſigns againſt the State. Truly (*faith he*) I look upon it as a judgement, not having offended the Parliament in any thing, ſave an extreme vanity in ſerving them very extraordinarily. That his affections had been ever known to be faithfull, and without wavering: where the Parliament wrought changes beyond and againſt reaſon and Religion, there He left them. That he ever ſought the peace of the Kingdom, and that made him do what *Hollands* ſpeech on the Scaffold.

'what he did. That he knew not how to judge of (the 'th n) preſent affairs; but ſhould pray, that the King-'dome might be again governed by the King, by the 'Lords, by the Commons: and that the People may 'look upon the Poſterity of the King with that affection 'they owe: that they may be called again without blood-'ſhed, and admitted into that power and glory that 'God in their birth intended to them.

'That he wiſheth happineſs even to the cauſers of 'his death, praying heartily to God to forgive them. 'And as Chancellor of *Cambridge* really praying, that 'that Univerſity might flouriſh, and be a continuall Nur-'ſery both to Learning and Religion. Then mentio-'ning again his Religion and family, relating ſomething 'to his own behaviour, and his being a great ſinner, yet 'that he hoped God would hear his prayers, and give 'him faith to truſt in him, with his prayers for the Peo-ple, he ended. Then turning to the ſide, he prayed for a good ſpace of time: after which by the inſtigation of Mr. *Bolton*, he ſaid. 'That he was the leſs troubled with 'his violent death, when he remembred how his Savi-'our ſuffered for him; and again, when he conſidered the 'King his Maſter not long before paſſed the ſame way; 'with others at this time with himſelf, with a ſerious 'and pithy juſtification of his ſaid Maſter the late Kings 'Majeſty, a ſhort recapitulation of his firſt ſpeech con-'cerning his Actions, Religion, breeding and ſufferings. 'After all, wholly caſting himſelf, on the merits and mer-'cies of Jeſus Chriſt, forgiving his Enemies, praying for 'peace, and that their blood might be the laſt, which 'was ſhed ſtrangely, the tryall being as extraordinary 'as any thing in the Kingdom: but he owned it as Gods 'hand: then having, ſome divine conference with Mr.

Bolton

Bolton for neer a quarter of an hour, and ſpoken to a Souldier that took him priſoner and others, he embraced Lievtenant Collonel *Beecher*, and took his leave of him. After which he came to Mr. *Bolton*, and having embraced him, and returned him many thanks for his great pains and affection to his ſoul, he prepared himſelf to the block: whereupon turning to the Executioner, he ſaid; *here my friend, let my Cloaths and my body alone, there is ten pounds for thee, that is better than my cloaths, I am ſure of it. And when you take up my head, do not take off my cap*: then taking his farewell of his Servants, he kneeled down and prayed, for a pretty ſpace, with much earneſtneſs. His behaviour.

Then going to the front of the Scaffold, he ſaid to the People, *God bleſs you all, God give all happineſs, to this Kingdom, to this People, to this Nation.* Then laying himſelf down, he ſeemed to pray with much affection for a ſhort ſpace, and then lifting up his head (ſeeing the Executioner by him) he ſaid, *ſtay while I give the ſigne* and preſently after ſtretching out his hand, and ſaying, now, now; juſt as the words were coming out of his mouth, the Executioner at one blow ſevered his head from his body. E. of *Holl.* death.

The Execution of the Earl of *Holland* being thus performed, the Lord *Capell* was brought to the Scaffold as the former: and as he paſſed along, he put off his hat to the People on both ſides, looking about him with a very ſtern countenance; when mounting on the Scaffold having before taken his leave of his Chaplain, and bidding his Servants that were with him to refrain from weeping, coming to the front of the Scaffold, he ſpoke to this purpoſe. Lo. *Capell* his ſpeech before his death.

'That he would pray for thoſe that ſent him thither,

'and

'and were the cauſe of his violent Death; it being an 'effect of the Religion he profeſſed, being a Proteſtant, 'with the profeſſion whereof he was very much in love, 'after the manner as it was eſtabliſhed in *England* by the '39. Articles. That he abhorred Papiſtry, relying on-'ly on Chriſts merits. That he was condemned to dye 'contrary to the Law that governs all the World, that 'is, by the Law of the Sword, the Protection whereof 'he had for his Life: yet among Engliſhmen, he an 'Engliſhman acknowledged Peer, condemned to dye 'contrary to all the laws of *England*. That he dyed (as 'to the cauſe he fought in) for maintaining the fifth 'Commandement, injoyned by God himſelf, the Fa-'ther of the Country, the King, as well as the natural 'Parent being to be obeyed thereby. That he was guilty 'of Voting againſt the Earl of *Strafford*; but he hoped 'God had waſhed off the guilt of his blood with the 'more precious blood of his Son. That his late Ma-'jeſty was the moſt vertuous, and ſufficient known Prince 'in the World. God preſerve the King that now is, 'his Son. God ſend him more fortunate and longer 'dayes. God reſtore him to this Kingdom, that that fa-'mily may reign till thy Kingdom come; that is, while 'all Temporal power is conſummated. God give much 'happineſs to this your King; and to you that in it ſhall 'be his ſubjects. That he did again forgive thoſe that 'were the cauſers of his coming thither from his very 'ſoul: ſo praying again for the King and his reſtoration, 'and for the peace of the Kingdom, he finiſhed his 'ſpeech.

L. C. His carriage. Then turning about to the Executioner, he pulled off his doublet; when the Heads-man kneeling down, Lord *Capell* ſaid, *I forgive thee from my ſoul, and ſhall pray*

pray for thee; There is five pounds for thee, and if any thing be due for my cloaths, you ſhall be fully recompenced. And when I ly down, give me a ſhort time for a prayer: then again bleſſing the People very earneſtly, and deſiring their prayers at the moment of death, he ſaid to the Executioner, *you are ready when I am ready, are you not?* then as he ſtood putting up his hair, with hands and eyes lift up he ſaid. *O God, I do with a perfect and a willing heart ſubmit to thy will. O God, I do moſt willingly humble my ſelf,* ſo kneeling down, and fitting his neck to the block, as he lay with both his hands ſtretched out, he ſaid, *When I lift up my Right hand, then ſtrike.* When after he had ſaid a ſhort prayer, he lifted up his right hand, and the Executioner at one blow ſevered his head from his body, which was taken up by his ſervants and put into a Coffin. L. *Capell* beheaded.

Having thus brought to paſs their bloody purpoſe, ſhortly after they acquitted the Lord *Goring*, and Sir *John Owen* as to their lives, but ſeized upon all they had: according as they did upon moſt of the Eſtates of the Nobility and Gentry throughout *England*; for ſuch now was their unſatiable malice, that they thought it not enough to ruine and deſtroy the heads of Families; but, with divelliſh rancor, endeavour to blot out the name and memoriall of Poſterity, by ſuch unheard of cruelties, and barbarous actions, as would make a Savage *Scithian* or *Barbarian* bluſh to think on, ſo that we may ſay with *Cicero* in the like caſe; *Rem vides, quomodo ſe habeat: orbem terrarum Imperiis diſtributis ardere bello: urbem ſine legibus, ſine judiciis, ſine jure, ſine fide relictam direptioni, & incendiis.* Which indeed is the very preſent caſe. The barbarouſneſs of the actions

Thus did they grow from bad to worſe, acting rather

like butchers then Men, each one of them proving to all about him, a devouring wolfe, whoſe inſatiate gorge was never filled with his pray, ſo that having in effect the maſtery of them (whom they called their Enemies) like true thieves they fall out about parting the ſtakes: the Presbyterian faction will brook no ſuperior, the Independent no equall, upon theſe terms ſtands the Kingdom divided, when the later grown now more powerfull by the additon of the Army, whoſe guilt in the murther of the King had ſuggeſted to them, that the only way to ſave and raiſe themſelves, was to confound and reduce all things elſe to an Anarchy. In purſuance of which Principle they at laſt proceed againſt the very root of Monarchy: and after many uncouth debates reſolved, that the Nation ſhould be ſetled in the way of a free State, and Kingly government be utterly aboliſhed. Now was the ſtile in all proceedings at the law altered, the ſeals changed, and the Kings armes and ſtatues in all places taken down, that ſo their ſeared conſciences might not at the ſight thereof be terrified, with the ſad remembrance of their committed crimes. And that no ſparke or attendant of antient Majeſty might be left remaining, ſoon after, they vote the houſe of Lords to be burdenſome and uſeleſs: and that the People might underſtand their meaning alſo, on the 21th. of *February* they proclaim at *Weſtminſter*, and ſend it to the City the next Day to the like purpoſe, but the then Lord Mayor refuſing to do it, as being contrary to his honour, conſcience and Oath, rather choſe to ſuffer an unjuſt impriſonment, which he did in the *Tower*: Any honeſt Man would have thought this example would have put a ſtop to the attempt of any villain for the making that proclamation, but ſo farr were they from being

The Army and Independent cloſe

Free-ſtate appointed.

Lords houſe voted uſeleſs.

being deterred, that they rather grow more implacable, and having found some hair brained, and half decayed, Cittizens, out of them, one is set up as a mock-Mayor, who being a fellow fit for their turns, after a short complement or two with the Juncto: he enters the Stage and Proclaims, the abolishing of Kingship, and the House of Lords. Having thus brought their design to some kind of maturity, they find another invention to be as a Shibboleth, a mark of distinction, between themselves and other men, and that was the engagement or sooth, whereby every man should promise to be true and faithfull to the Common-wealth of *England*, without a King or house of Lords, and he that would not subscribe to this, was forced either to fly, or which was as bad, to stay at home, and have neither the benefit, nor the protection, of the law of the land, nor any advantage either of his liberty or Estate; Now might you have seen *Vice regnand*, and nothing but Schisme and faction Countenanced, now might you have beheld *England*, sometime the Glory of the World, now become as by words, the name of English being among forreign Nations esteemed as a crime sufficient, so did the Land mourn for oaths that she was ready to vomit out her inhabitants, while the Juncto still endeavour to palliate their villany, and to get allies among neighbour Princes and States, to many of whom they send Embassadours (as they stiled them) and were again reciprocally courted and owned, and particularly by the Spanyard and the French; but the Dutch did seem to be Men of a better mould and temper, and therefore having no better ground they quarrell for superiority; denying to vaill to the English, because they were the younger State, yet still owning that respect to the Monarchy: hereat the

The Proclamation against Kingship.

The engagement a mark of distinction.

The dutch quarrel.

Engliſh (though yet but an) Embrio begin to ſtartle, and weighing the unſetledneſs of their baſis, and that all they had hitherto done was only dawbed together with untempered morter, they reſolve to try all wayes rather then fall out, and will ſeek to gain that by Courtſhip, which they are unwilling to hazard by force; as a fit Man for this work they pick out a pure Saint, Mr. *Oliver*, St. *Johns*, and diſpatch him into *Holland* with, as large a train, as great State, and as full inſtructions as they could poſſibly afford or invent, whether when he is come, he makes his addreſſe to the Lords States, but with ſo little approbation and ſucceſs, that in a little time he began to grow weary of his buſineſſe, eſpecially, when the multitude began to grow clamourous againſt him, inſomuch that he durſt hardly ſtir abroad, ſo that being both outworded, and outwitted, after many debates, brotherly expoſtulations, Declarations, and hearty deſires to ſmall (or rather indeed to no) purpoſe, he gravely makes his Congee, takes his leave and vaniſheth; The Juncto at his return, ſomewhat diſcontented at his fruitleſs Embaſſie, yet finding no other remedy, and willing to make the beſt of a bad market, prepare for war, (for by this time the Dutch had begun both to affront them and ſeize on what they could catch as lawfull prize) which ſo vexed the Engliſh Puny State, that they preſently fall to an open war, the various ſucceſſes of which, and the loſſes that accrewed thereby to each party by means of the ſame, I ſhall not make the work of my pen, having only deſigned to delineate thoſe black deeds of impiety acted within the narrow limits of our *England*, by the horrideſt crew of bloody miſcreants that were ever ſpared by Divine vengeance from ſudden deſtruction.

St. *Johns* ſent to treat, but returnes without doing any thing.

The

The Engliſh affairs and Government being thus wreſted into the hands of a few deſperate perſons, the next thing aimed at is, the reducing of *Ireland*: for effecting whereof they give a Commiſſion to, and raiſe an Army under the Command of, *Cromwell*, which he as ſuddenly tranſports thither, *Ormond* and *Inchequeen* having at that time all the Country in obedience to his Majeſty, (ſave only *Dublin kept* by Col. *Michael Jones*, and *London-derry* by Sir *Charles Coot*) when lo, as it were to wellcome *Cromwell*, *Jones*, immediately before his arrival, had made way for him by the overthrow of *Ormonds* forces about *Dublin*: And now, as if fortune had already deſigned him the laurell, St. *Charles Coot*, in another place at *Londonderry*, worſteth a Second party, and the Earl of *Ormond*, and the Lord *Inchequeen*, having joyned their broken forces into a conſiderable ſtrength, are again together overthrown at *Connaught*.

Ireland looked at.

Cromwell ſent to *Ireland* and prove Victorious.

The concatenation of theſe ſucceſſes, together with the cruelty exerciſed by *Cromwell* at the taking of *Tredagh* by ſtorm, where his rage ſpared neither age nor ſex, a barbariſm ſcarcely uſed by the very Turkes, caſt ſuch a Panick fear over the whole Nation, that the ſtrong holds fell into his power, like over-ripe fruit into the prepared hands of its ready gatherer.

So hidden and miſticall is the ſeries of Gods providence, that for a time, the moſt enormous crimes are counted vertues, & the poor looſing honeſt ſoul conſtrained to ſtoop and bow under the heavy yoke of a prevailing tyrant; yea Majeſty it ſelf enforced, (like the clouded Sun) compulſively to hide his beams, and retire with his light for a while, as though it had been but borrowed, but as the Sun, ſo Majeſty can never be kept in perpetuall darkneſs: for by this time the Independent

dent, who had for a ſpace been chief, find a Competitor
The Leveller begins to ſtir. of the Leveller, who reſolves either to ſhare in the whole, and ſo reduce and keep all in an equality, whereby himſelf may be one of the greateſt, or elſe to endeavour to bring back all into its originall channel, and to ſhew they meant as they ſaid, with better hearts then ſucceſs or ſtrength they riſe in three or four places, for they are aſſoon quaiht as ſeen, and themſelves and their deſign end both together: A garment of linnen and woollen was forbidden to be worn by the Leviticall law, and I ſuppoſe becauſe the mixture would be improper either for wearing, or handſomneſs of ſight, in the ſame manner may I ſay of the Levelling faction, that though they in intent were reall for reſtoring the King, yet God would not ſuffer it to be brought to paſs by ſuch hands, that had been ſo deeply dyed before in royall blood. The royal party though under hatches, and now ſuffering for their loyalty, having paſſed and been refined in the fire of affliction muſt be the Men, whoſe unſpotted fingers ſhall not only pull down the Idolized Babel of the Peoples imagination, but repair the decayed ruines of our broken Government, and reinſtate exiled Majeſty upon its throne adorned with ſafety, and with beauty both, and guarded with the ſafeſt ſtrength of faithfull hearts and hands; better then walls of braſs or formed troops of mercenary Souldiers.

Scots ſend to the King. But that time was not yet come, although the Scots ſent a peculiar meſſenger, the Lord *Libberton* to the King, deſiring him among other things, that he would eaſe to appoint a place for a Treaty to be between his Majeſty and his Kingdom of *Scotland*, which offer of theirs, was graciouſly accepted, and a Treaty appoind at *Breda*, on the 15th. of *March*, whither the Scots Com-

Commiſſioners came the 16th. and on the 19th. fell to their buſineſs, neither would by any means relinquiſh their Presbytery though but in part, and as to the particular perſon of the King himſelf, whom they ſtrongly bound up to the Covenant, Directory and Catechiſmes, whereto his Majeſty; after many long and ſerious debates, having unwillingly conſented. The Scots on their part did promiſe. 1. That his Majeſty ſhould be admitted to the throne of *Scotland*. 2. That his Rights then ſhould be by Parliament, recovered from the hands of Uſurpers, and 3. That they would aſſiſt to bring the murtherers of his Father of bleſſed memory, to condigne puniſhment, and to reſtore him to his Native Kingdom of *England*. Treaty at *Bredah* concluded.

A happy, Omen, ſurely was this promiſe and undertaking hoped to be, and ſo indeed it might have proved, if it had been gained from any but the worſt of Scotch-men, the Presbyterians, for, at the very ſame time as it were, when they had concluded the Treaty, and thus highly promiſed the King as is before mentioned, I ſay at the ſame time, having gotten the famous Marqueſs of *Montroſs* into their hand, whoſe only fault was Loyalty to his Prince, having brought him with as much ignominy as they could deviſe to *Edenburgh*, they there charge him for keeping away the King (obſerve the King was now upon the point of coming to them) from his ſubjects. 2. For the invading that Kingdom. 3. For all the murders in the war, and for waſt upon *Argiles* Eſtate, &c.

Mark, here I pray, *Montroſs* muſt be murthered (the beſt ſubject the King had in *Scotland*) and juſt when the King is ready to come thither, (as if it were done in deſpight to him) but why? for keeping away the King? No, *Montroſs* murthered and the reaſons thereof.

No, he had promiſed to be with them with all ſpeed, which *Montroſs* in priſon could not have hindred. Was it for invaſion? alas neither, for he had none but his own Countrymen, and of them but a very few and they quickly, and eaſily defeated; what, was it for then, for muder? alas neither, what then? O! here's the Divel that murthered the famous *Montroſs*, for waſte upon *Argiles* Eſtate; *Argile*, I ſay that underminer of his Soveraign, who in a ſhort time after, upon his arrival, was by the means and inſtigation of him, upon pretence of non-performance by the King, left deſtitute either of friends (whom they baniſhed from his Court,) means, (which they curtailed him of) and ſtrength (allowing him neither a Souldier nor a gariſon, nay not a town where he might with ſafety repoſe his head); things being at this paſs, and his Majeſty with much adoe gotten into *Scotland* as aforeſaid, which the Juncto at *Weſtminſter*, having perfect intelligence of, and weighing with themſelves that promiſe of the Scots, to bring the murtherers of the Kings Father, to condign puniſhment, they begin to think it high time, to provide for their own ſafety, in conſulting whereof, after much time ſpent, it is reſolved the ſafeſt, wiſeſt, and to them leaſt chargeable courſe to wait, on the Enemy in his own Country, whereby they carried the war from home, and not to ſtay for him to bring it to their own doors.

The K. in *Scotland.* held to hard meat.

As a ſtrong motive to this, juſt at the inſtant, they diſcover that many of the Presbyterians of *England*, had by their agents agreed with the Scots at *Bredah*, to re-eſtabliſh his Majeſty in all his Dominions: Whereupon many eminent perſons are ſeized on, and among them, Mr. *Caſe*, Mr. *Jenkins*, Mr. *Jackſon*, Mr. *Love*, &c.

Which

Which Mr. *Love* together with one Mr. *Gibbons* ſuffered death together on *Towerhill*, at the earneſt ſute of *Cromwell*, proteſting he would not march into *Scotland*, unleſs they were cut off: Being moved hereby as well as by their own fear and guilt, his Majeſty is ſcarce in *Scotland*, but *Cromwell* is at the borders with 16000. Horſe and Foot, on their behalf; to whom *Leſſly*, *L. G.* of the horſe, which were now raiſed, after ſome expoſtulations by Letters and Declarations, ſends word that he is in armes upon the account of the good old cauſe, and not upon the account of the King, whom he cleerly diſowned; *Straughan* and *Ker*, not only diſown the King, but ſay poſitively they will fight againſt him, ſo that now it was not *Bellum Regale*, a war to maintain the Kings honour, and the points of the treaty, but *bellum Presbyteriale*, a war for the Kirke of *Scotland*, againſt the Independent faction of *England* (thoſe two great parties being come now to a ſecond conteſt for ſuperiority) for *Leven* commanded the Foot, and *Leſſly* as I ſaid before the horſe, and theſe two unanimouſly drew out againſt *Cromwell*, and fought him within ſix miles of *Edenburgh*, though to little purpoſe, for he immediately after became Maſter of the field, and took Garriſons, as faſt as he came to them, defeating them at *Muſſelbourgh*, and purſuing them to *Pentlan-hills*, where the Scots had him in a ſtraight, and might have deſtroyed him, but the certainty as they thought of the victory, cauſed them to delay, by which, and the fatal neceſſities of ſickneſs, hunger and cold preſſing upon *Cromwells* Army, made them chooſe rather at one fight deſperately to hazard all, then timouroufly to become the ſcorn of an inſulting foe, which they knew they ſhould find: following this reſolve with diligence, they whiſper about

Mr. Love and Gibbons beheaded.

Cromwell invades Scotland.

Scots divided among themſelves.

1. *Fight at Edenburgh.*

2. *Fight at Muſſelbourgh.*

the word to each other, in the midſt of a dark and rainy night, they crept up the hill and fell on the Scots ſo ſuddenly and beyond expectation, that they were diſordered by the firſt attempt, yet by reaſon of their multitudes, and a little courage, they held up a while, till ſurrounded on the back by *Cromwells* horſe, the Scots horſe affrighted, begin to retreat, and ſoon after to flie in good earneſt, leaving their foot to mercy, who were taken in greater numbers then the Engliſh Army conſiſted of; the Independent power by this victory being abſolute conquerors, and the Presbyterian pride laid groveling in the duſt.

3. *Dunbar* fight and totall defeat.

King in the North of *Scotl.* private.

During this quarrell between the ſaid two factions, the King (as diſowned ſo) not intereſted therein, retires firſt to St. *Johnſtons*, and after that, privately into the North of *Scotland*, where he continued, expecting what God would do for him; aſſuring himſelf that this defeat at *Dunbar* (as things then ſtood) could not be for his prejudice: which indeed, quickly fell out according to his expectation; for the Scots upon that overthrow were ſomwhat humbled in Spirit, and now began again to think of their late abuſed King, wiſhing in their hearts he were among them, (fearing to ſpeake the truth) leaſt he would have joyned with Northern and loyal Highlanders, to prevent which they ſend *M. G. Montgomery* with forces to intreat his Majeſties return, who finds him out, and affectionately delivers his meſſage: which the King received even with joyfull tears, as minding the juſtice of God upon thoſe perfidious Scots, whoſe pride in ſucceſs carried them beyond all bounds of allegiance (and like a ſtubborn child muſt be ſoundly whipt ere they will kneell and the good manners they obtain muſt be beaten into them): Yet he accepts

King ſent to and returnes.

of

of their requeſt, and accordingly goes towards them. Who but ſo good a King would have expoſed himſelf to ſuch mens truſt, in ſo dangerous a time? *Innocentia eſt ſibi munimentum*, for he reſolves to return. Upon notice hereof and his arrivall, the Parliament addreſs themſelves to him, and appoint the time for his Coronation: which was accordingly with much State, pompe and Ceremony, performed on the firſt of *January* following at *Schone*; the particulars whereof I ſhall not enter upon, ſeverall relations thereof being already extant. King crowned.

His Majeſty thus inveſted in his throne, undauntedly proceeds to ſecure both his perſon and Kingdom: to which end he begins to raiſe and levy an Army, both of horſe and foot, which in ſhort time, by the conflux of loyal hearts from all parts, became even formidable to its Enemies, eſpecially having their Prince engaged in perſon, (whoſe every hair was valued at ten thouſand lives) and an equall ſharer with them in all things. As they did encourage the hearts, and ſtrengthen the hands of all that were faithfull, ſo they were a torment of Spirit to the inſulting Enemy, who for the preſent, ſeeing that force alone would not ſerve the turn, politickly reſolves, to undermine and weaken them by diviſion among themſelves, knowing that rule to be true, *Divide & impera*, and indeed ſo it proved: for with ſo much divelliſh cunning did the Engliſh work, that they procured *Straughan* with ſome forces together with *Ker* to declare againſt the King, Laſtly with others, ſtand for Kirk and King. But *Brown*, *Middleton*, &c. with the beſt and honeſt part of the Army, vow to ſacrifice their Lives and Eſtates in defence of the Kings perſon. In this tottering and unſtable condition ſtood affairs, when *Cromwell* alwayes mindfull to lay hold on the firſt advan- K. raiſeth an army. Scots divided.

tage, and being certainly informed of the height and heat of theſe diviſions, he takes time by the forelock, and ſtriking while the Iron was hot, he ſends to *Straughan* and wins him over to him, to fight againſt his lawfull Soveraign, rejoycing to have debauched ſuch a Souldier, whoſe infidelity muſt now make him ſure to *Cromwell*, not daring to rely on the good of thoſe whom he had ſo trayterouſly deceived; the remaining two parties, continuing yet in their feuds, are at length, to prevent the deſtruction of both, by the care of the Parliament then ſitting taken into conſideration, and reconciled by the equal diſtribution of commands, upon the moſt eminent perſons of both factions; under one only head and Generall commander, which was the King himſelf. By this union being again become conſiderable, yea and indeed in a poſture of defence, the King deliberately ſets forward toward the Enemy, who hearing of it, with more, both fury and expedition marcheth to meet him. And here you might have obſerved the different means uſed by two potent armies to deſtroy each other, *Cromwell* would ruine the King by fighting, the King endeavours to conquer *Cromwell* by delaying: never were *Hannibal* and *Fabius* ſo truly patterned as at this time, for the King knowing it to be an invading Army, took the beſt means to break it by delayes, getting away all proviſion, that the Enemy might have no forrage, and as occaſion ſerved, giving ground, till ſome notable advantage might be found, as might give an hopes if not an aſſurance of a victory; and according to expectation ſo had it proved, for being deſirous to fight, and hearing the King intended to paſs at a certain narrow Iſland, thither he commandeth two Regiments againſt whom *Brown* did march with five or ſix,

The royaliſts and Kirk reconciled.

Fight in life.

fell

fell on them, and in probability had deſtroyed them utterly, had not relief come with ſpeed, and in the nick of time, whereby after a hot and eager fight for ſome hours, both parties retreated with no ſmall loſs to either, yet ſuch was the fortune of that ambitious wretch *Cromwell*, that notwithſtanding this, and that his Majeſty had ſtill a good Army in the field, he over-ran the whole Country and conquered with leſs difficulty than he marched; which his Majeſty perceiving, he reſolves on new deſignes, and accordingly within a ſhort time, with his choyſeſt friends and the remains of his Army amounting to *16000. he privately, gives *Cromwell* the go-by, and marches by *Carliſle* into *England*: ſo have I ſeen a bird decoy the greedy fowler from her loved neſt, by a ſeeming neglect thereof in the retiring from it. K. marches into *England*.

It was generally believed that the Kings arrivall in *England* would have been a motive to all that loved him to ſtir and ſhew themſelves in armes for his defence, but ſuch was their hard fate and ſad miſery at that time, that they durſt not ſtir, the yoke lay ſo heavy, that it was impriſonment if not death, but to look towards the King, yet maugre all devices againſt him, he came through all the North into *Warrington* in *Lancaſhire*, where at a bridge the paſſage was diſputed with the Enemy, who did endeavour to break it down, but with ſuch advantage, that the Rebells were forced to fly and leave the King maſter of the place, from whence with his whole Army he marched towards *Worceſter*, where contrary to the rules, both of reaſon and war, and contrary to his own mind and reſolution, overſwayed by the treacherous Counſel and perſwaſions of ſome too neer, and in too great command about him, he ſtayed. what might be the motives to delude the King into ſuch K. wins *Warrington* bridg. Comes to *Worceſter*.

a trap the *L. G.* is better able to give account off than my pen; but where treaſon lies in the heart, there muſt all things of force be bad, no relations, ties, or duty can hold or convince him who hath ſold his conſcience. About this time, the whole Kingdom, having taken the Alarum, run in troups and multitudes, ſome one way, ſome another, ſeverall of the Gentry, particularly the Earls of *Derby* and *Cleveland*, the Lord *Howards* Eldeſt Son, Collonel *Howard*, with many others bring what ſtrengths, in ſuch a confuſion of affairs and ſtreight of time, they could gather together, but to little purpoſe: for they are as it were beſieged within the City of *Worceſter*, all the Counties of *England* having powered out their auxiliary forces againſt that place, to heighten and increaſe whoſe malice *Cromwell* is ſent to head them. Now might you have ſeen *Herod* and *Pontius Pilate* reconciled, and both againſt Chriſt: Thoſe two reſtleſs and adverſe factions, the Presbyterian and Independent faction, could joyn together, both in their armes, and prayers againſt his ſacred Majeſty, belching forth the ſcandalous language of their ulcerous tongues to incenſe the People, and bring them into frenzy againſt thoſe few poor deſpiſed loyall ones, & ſo indeed they did; thoſe very pretended Miniſters not only preaching, but largely contributing to the raiſing of more forces from day to day, yea ſome of them going in perſon to aſſaſinate the poor incloſed Royaliſts, who yet reſolved, that though they foreſaw their ruine, as not being able without a miracle to cope with ſuch an innumerable multitude, they would ſell their lives at a dear rate, and make ſome of the purchaſers at leaſt ſhare in an equall fate with them, and ſo in truth they did. For *Cromwell* now being very neer, commands *Lambert* to take

take and ſecure *Hopton* bridge, in the defence of which paſſage *Maſſey* ſhewed both much courage and experience, though forced to retreat thence and leave the ſame unguarded, being over-powered with *Lamberts* multitudes: after which, for a Day or two, there happened diverſe Skirmiſhes with as various fortune as is uſuall at ſuch times; but *Cromwell* not brooking ſuch delayes (as fearing they might prove dangerous, if any part of his forces ſhould bethink themſelves) reſolves upon one generall attempt: and to find work for all hands, himſelf falls on upon one ſide, and *Fleetwood* on the other, ſo that now ther's nothing but rage, ſlaughter, and blood, the loyall Highlanders even ſtanding to fight when they had loſt their legs, not at all daunted at the ſeverall horrid ſhapes Death preſented himſelf to them in, but covering the ground with their ſlaughtered bodies, in death made good that place, which in life they undertook to defend: while the increaſing Enemy by his numbers, rather killing then conquering, their fear and guilt guiding them to exorbitances, which the other valiant, though dying ſouls were not capable of, proving that maxime true, that fear is farr more painfull to cowardiſe, than death to a true courage. But *Actum eſt*, their end is concluded, the decree is gone forth: ſo after ſeverall routs and rallies, a generall defeat ſucceeds with the death of between 4000. and 5000. and about 7000. or 8000. taken priſoners, the purſuite being both hotly and eagerly purſued, each villain hoping to enrich himſelf by ſeizing on the Royal pray. But Heaven had ſent a Guardian Angell to protect him, that at length he may once more come and be the reſtorer, both of our peace, Religion, and Liberty. I ſhall not mention the means were uſed, or the

Worceſter fight.

Spirits

Spirits which God raiſed up to be inſtrumentall, in that miraculous deliverance, let it ſuffice they have their honour and reward, and bleſs we God; who hath made us worthy to be partakers of the ineſtimable good that hath accrewed thereby, invoking Heaven to crown his life with length of dayes and health, and to ſettle his throne by a decree as unalterable as that of the Earth which cannot be moved.

Thus once more we ſee Rebellion flouriſh and applauded; for after this, the ſeeds of ambition begin to grow higher in *Cromwell*, it is not enough that his faction is the ſtrongeſt, and he the head of *it*, unleſs he may as well govern as command: The military ſword will not ſatisfie him, he muſt and will alſo have the civill, but as he ſees it muſt not be done raſhly or ſuddenly, leaſt he ſhould miſcarry, ſo knowing that fair and ſoftly goes farr, and *feſtinare lente* is the beſt haſt he concludes in his heart either to have all at his own beck, or dye in the attempt; and the better to moddell his deſign according to his reſolution, he comes to the Junćto, gives them account of all his tranſactions, and ſo inſinuates into them that he gets his Son *Ireton* to be made Deputy of *Ireland*, and intruſts *Scotland* into the hand of *L. G. Moncke*, a revolted Cavalier, by which two perſons in a ſhort time he ſo roughly handled both thoſe ſaid Nations, that they were reduced to as perfect a ſlavery as could be imagined.

Cromwels policy and power.

Upon conſideration of theſe ſucceſſes on all hands he begins now more publickly to unmask himſelf; A General he places and diſplaces Officers in the Army at his pleaſure, untill he have ſo fitted them to his own humour, that he dares begin to take them into his Councill, where the firſt thing reſolved is, ſtill to hold

up

up the mask of religion, there is no bait ſo catching to the vulgar: religion therefore muſt be cried up, methinks I ſee *Cromwell*, like *Catiline* at *Rome*, with all his crew of bankrupt and much worn Officers about him, ſpeaking to them thus. Surely I need not tell you the great things the Lord hath done for us, your ſelves are witneſſes thereunto: I confeſs, our actions ſeem not to agree to our profeſſions, but tis no matter, let People ſay what they will, ſo we be ſtill gainers, let Governments totter and fall, the whole World be made but one Enthuſiaſme, or reduced into its primitive *Chaos*, rather than we ſhall now looſe or hold, yet ſtill the mask of zeal muſt be kept on that we may not appear in our naturall colours, villains *ab origine*; By theſe and the like words is that vicious brood ſoon inſtigated to act what his ambition dares command.

Now was he grown ſo lofty and imperious that he even growes weary of the Junćto, and eſpecially becauſe they were at the preſent the main barr that hindred his greatneſs: To remove therefore that obſtacle, on the twentieth of *Aprill* 1653. early in the morning he ſeazes the keys of the Parliament houſe, ſhuts up the doors, and tells the Members that they muſt come no more there, having already ſate too long, meriting rather punihment than applauſe, being no other than an aſſembly of Whoremaſters, Drunkards, Hypocrites, Knaves and Oppreſſours; thus was the pretence of the Parliament taken away, and no face of Government viſibly appearing: Never was the faults of Uſurpers with more bitterneſs laid open than now by him, whom we ſhall ſhortly, as tranſcendently, to out-do them in all acts of Tyranny and Uſurpation, as the brighteſt beams of a midday ſun excell the glimmering

Long Parliament turned out.

light of a midnight candle. Tis true as *Seneca* ſaith, *Nulla tam modeſta eſt fælicitas ut malignitatis dentes vitare poſſit*, there ever was and ever will be ſome murmurers at preſent Governours, but ſo far were either they, or he from being belyed, that unleſs a Man do ſpeak all that may be imagined evill, he muſt needs fall ſhort of their wickedneſs. *Sen.* ep. 3

The Government being thus altered, firſt by laying aſide and murthering their lawfull Soveraign, then by ſifting and purging the Parliament, till looſing its originall, it either became as nothing, or at the beſt but a Junćto, and when it would no longer ſute with *Cromwell* ambitious ends and ſoaring thoughts by turning it abſolutely out of doors; At laſt after much pretended ſeeking of God by dayes of humiliation, *Cromwell* forſooth is counſelled to call together an aſſembly of men picked out and called as fit for his deſign. Theſe by ſummons together by a Letter under his hand and ſeal directed to each ſingle Man; who (in their way of canting) admiring at the great goodneſs of God, that had put it into the Generalls heart to ſelect them to ſo great a work as the ſettlement of the Kingdom, and to ſhew their skill, and as an Eſſay of their zeal, they firſt vote down all Tythes, diſcourage the Miniſtry, abuſe the Univerſities, and endeavour to aboliſh the law, and conſequently to take away all propriety. By which Acts the Nation beginning to be ſenſible of the Divel, wherewith they were poſſeſſed, did frown upon them, which ſo diſanimated our Fanatick Enthuſiaſts, that at the very firſt blaſt they left the helm, and like good boyes and well-taught, having drawn up formally an inſtrument under their hands and Seals, they repair to *Cromwell*, and (according as the deſign was laid) together with the ſaid

Barebones Parliament.

ſaid inſtrument deliver and reſign the Government to him and his Councill, who (though at firſt he ſeemingly denyed) yet immediately after, with much ſolemnity he accepts thereof, before the Mayor, ſome Aldermen, ſome Judges, and the Officers of the Army. Having thus far perfected his deviliſh deſign, and made all his own, by modelling the Army under the command, of his own Creatures; ſetling the Government of *Ireland*, upon his Son *Harry*, and *Scotland* reduced to obey and ſubmit to him: It is now thought fit he ſhould declare himſelf, which to pleaſe and gull the people the better, he does by abaſing himſelf, and calling (as he termed it) a Parliament, to meet on the Third of *September* 1654. Which it did, but the poor animalls not having well conned their leſſon before-hand, were ſuſpected dull, and turned a grazing to get more underſtanding, the very firſt inſtant he might lay hold on to do it; By which means once more all pretence of Government being utterly aboliſhed, he himſelf playes Rex, and by an arbitrary power beyond, without, and againſt, law, doeth what he liſt, by Mayor-Generals (a name in *England* unknown) oppreſſing the Country, robbing the Gentry, ſpoiling all, and murdering many, ſo that none durſt ſay what doeſt thou? A queſtion was converted into a plot, and to deny a tax merited decimation. It was not enough, to have ſuffered all former rapines, impriſonment and plunderings, fines and taxes, but at laſt we muſt all be decimated. We were *tanquam Oves* deſtined for ſlaughter, and ſuch was our miſery there was none to redeem: ſad teſtimonies whereof were *Gerard*, *Grove* and others about this time, whoſe blood only could expiate a crime they never thought or were guilty off.

They reſign to *Cromwell*

Cromwels firſt Parliament do nothing.

Major Gen. ſet up.

In this unlimited poſture of arbitrary power did the the Kingdom ſtand, when that Arch-Machiavilian *Cromwell* adding ſtrength to the wings of his ambitious mind ſoared an Eagle-flight, and made all the circumference of his actions to center at the royall State, thinking with a graſp of the Scepter to ennoble his name and family, not minding either the danger of the paſſage or the ſlippetrineſs of the ſtation, when arrived at the top: And indeed ſuch was his fortune that he did aſcend the throne, in which it was for the future, his reſtleſs endeavour to ſettle himſelf and his poſterity, and the better to caſt a ſeeming gloſs of legality upon his uſurpation, he ſummons another Parliament, in the Year 1656. hoping thereby to work his ends unſeen, and ſo he did (as to the vulgar eye) for ſoon after their meeting and firſt triall of their temper, he ſo moulds them to his own humour by a recognition, that they are overhaſtily delivered of a ſtrange abortion, by them called the petition and advice, &c. in which with much ſolemnity, though damnable hypocriſie, they deſire him to be King, but in more general terms to take upon him the government, and be chief Magiſtate, which he very gravely conſidering of diverſe dayes, returnes his denyall, in part, but withall inſinuates in part, his willingneſs to be ſetled Lord Protector, at which newes his faction rejoycing, (with many Eulogies for his humility in refuſing the Kingſhip) he is by the ſaid Parliament, who adjourned for the ſame end, ſolemnly inſtalled Protector at *Weſtminſter* by *Widdrington*, who was the Speaker to that convention, by *Whitlock*, *Liſle*, *Warwick*, &c. And upon their reſſſing, he is petitioned to accept of almoſt two millions, by the year for his ſupport, to maintain a crew of idle wenches his daug-

Cromwels ſecond Parliament confirm him as Protector.

daughters, whoſe pampered luſts were grown almoſt inſatiable) 2. To erect a new houſe of Lords of his own Creatures, who being indebted to him for their raiſing, durſt do no other than by a ſlaviſh ſubmiſſion, perform his tyrannous will, 3. To name his ſucceſſor, that ſo he might entail his yoke of tyrannical Uſurpation and ſlaviſh oppreſſion on the Kigdom, and ſeverall other things: which with much adoe, after many perſwaſive intreaties and much unwillingneſs, God knowes) he accepts of.

The fat Parliament diſſolved.

No ſooner is this done, but the fox laughs in his ſleeve to ſee how he has cheated the Parliament. And therefore to make them know their rider, after a few words of exhortation to them of the want of them in the Country, and the neceſſity of their retiring thither for the peace of the Nation, with a friendly nod he diſmiſſeth them and ſends them home.

Cromwell ſeeks to ſtrengthen himſelf.

Thus with much cunning and diſſimulation having attained the perfection of his deſires, knowing that ſuch greatneſs muſt be upheld with alies, and every noble coat of armes muſt have his ſupporters, he ſtrengthens himſelf at home, by intermixing with noble blood marrying own of his Daughters to the Lord *Faulconbridge*, and an other to the heir apparent of the Earldom of *Warwick*, the later of which though in the prime of his youth, finding the diſagreement between Noble and Rebell blood, was ſoon over-heated and by the ſuddenneſs of his death left his wife the widow of a loathed bed. In the next place he ſeeks friendſhips and leagues abroad, and intending to cloſe with *France*, he directly quarrels with the *Spanyard*, and affronts him in ſeverall places near about one time, particularly he ſends one part of the Fleet under the command

He cloſeth with *France*.

of

of *Pen* to *Hiſpaniola*, but with ſo little diſadvantage that he was enforced to retreat thence, with no ſmall loſs, falling ſoon after on *Jamaica* with better ſucceſs, winning a part thereof, though moſt inconſiderable, the whole Iſland being not worth the tenth part of the blood and treaſure it hath coſt this Kingdom, being no way at all ſerviceable, either for the advance or ſecurity of trade in thoſe parts; *Mazarine* in *France*, finding the benefit of theſe helps, upon the very firſt motion ſtrikes with him a league offenſive and defenſive, *Cromwell* promiſing to aſſiſt the French with 7000 Men to maintain the war againſt the *Flanders*: which at this time he ſent, they proving ſo helpfull by their valour, that in a ſhort time they gain *Mardike*, *Gravelin*, and *Dunkirke*, the laſt of them according to articles, being delivered up to the Engliſh, in whoſe hand it yet remains. In the *interim* while theſe things were tranſacting, *Cromwell* ſuſpicious of every blaſt of wind, and fearfull of every motion, contrives in himſelf to take off two or three of the moſt eminent of the Kings party in *England* to daunt the reſt, among whom he ſeparates one layman, Sir *Henry Slingsby*, and one Churchman, Dr. *Hewit*, for the ſlaughter: and conſcious to himſelf that they had done nothing contrary to the law of the land, he durſt not try them by a Jury, but re-erects his monſtrous high Court of Juſtice; before which being brought, they denyed the authority thereof as unwarrantable, which ſo wrought upon the patience of Mr. *Liſle* their bloodily learned Preſident and the reſt of the gange, that they (according as they were foreinſtructed by their Maſter Divell *Oliver*) without any great matter of circumſtance condemne them both to be beheaded, which ſentence was accordingly executed,

Dunkirke gained.

Dr. *Hewits* death.

on

on them the 8th. Day of *June* at *Towerhill*, notwithſtanding all the means their friends could uſe of engagements, perſwaſions and money, and the deep, earneſt and continued intreaties, ſollicitations and ſupplications of Mrs. *Claypoole* his beſt beloved daughter, for ſo inexorable he continued, that like the deaf adder he ſtopped his ears to the charmer, charme he never ſo wiſely: at which unheard of cruelty, and for that Dr. *Hewits* Lady (as is ſaid) was then with child, Mrs. *Claypoole* took ſuch exceſſive grief, that ſhe ſuddenly fell ſick, the increaſe of her ſickneſs making her rave in a moſt lamentable manner, calling out againſt her Father for *Hewits* blood and the like, the violence of which extravagant paſſions working upon the great weakneſs of her body, carried her into another World, even at the higheſt thereof. Mrs. *Claypooles* death.

No ſooner did *Cromwell* receive the deplorable newes of this ſad death of his Daughter, but himſelf falls into a deſperate melancholly, which never left him till his Death, which was not long after. Give me leave here to relate a paſſage which I received from a Perſon of Quality, *Viz.* It was believed, and that not without ſome good cauſe, that *Cromwell* the ſame morning that he defeated the Kings Army at *Worceſter* Fight, had conference perſonally with the Divell, with whom he made a contract, that to have his will then, and in all things elſe for ſeven years after from that time (being the Third of *September* 1651.) he ſhould at the expiration of the ſaid years have him at his command, to do at his pleaſure, both with his ſoul and body. Now if any one will pleaſe to reckon from the third of *September*, 1651. till the Third of *September*, 1558. he ſhall find it to a Day juſt ſeven years and no more, at Obſerve. *Cromwells* death.

at the end whereof he dyed but with ſuch extremity of tempeſtuous weather, that was, by all men judged to be prodigious, neither indeed was his end more miſerable, (for he dyed mad and deſpairing) than he hath left his name infamous; this was the end of our Engliſh *Nero*, and thus having laid the beſt foundations, his ſhort and troubleſome Reign would give leave to have continued his poſterity in the ſame unlimited Dominion, at his death, (*ſi ullafides viris, qui caſtra ſequuntur*) declaring his eldeſt Son *Richard* his ſucceſſour in his Uſurpation. Leaving his Son *Henry* Lord Lieutenant of *Ireland*, and his Daughter *Fleetwood*, married to the Commander in chief of the Army under himſelf, and the only Man ſuſpected for a Competitour in the Protectorſhip, for *Lambert* had been laid aſide long before as a perſon of too dangerous and aſpiring principles to be truſted.

Richard Cromwell Pro-tector.

Richard Cromwell preſently aſcends the Throne, being but a private Gentleman of *Hampſhire*, invited thereunto and incouraged by *Fleetwood*, *Deſborow*, *Sydenham*, the two *Jones*, *Thurloe*, and others, the relations and confidents of his Father: His firſt work is to take care for his Fathers Funerall, his corps being ſhortly after interred among the Kings and Queens at *Weſtminſter*, at a farr* greater charge than had been uſed upon like occaſi- *29000 *l.*
ons in the richeſt times, death giving him that honour which he aſpired to, but durſt not embrace in his life time, which ſolemnity paſt, by the contrivance of the new Courtiers, congratulations are ſent (prepared at *Whitehall*) from moſt of the Counties, Cities & chief Townes of *England*. And from the Armies of *England*, *Scotland*, & *Ireland*, with engagements to live and dye with him. Addreſſes from the Independent Churches, by Mr. *Goodwine* and *Nye*, their Metropolitans, and was indeed worſhipped by many

many as the riſing Sun in our Horizon.

This Introduction being made for transferring the Government of theſe Nations, from the Royal family of the *Stewarts* to that upſtart of the *Cromwells*: it was thought fit, that a generall Convention, after the manner of a Parliament wiſely choſen by influences from *Whitehall* ſhould be called, to meet the twenty ſeventh of *January*, and (upon pretence of reſtoring the people to their antient way of Elections, but reall) that the Court might command the more votes, the *Burroughs* alſo had writs ſent to them, and the Elections were all made in the antient way, only thirty members were called by writs from *Scotland*, and as many from *Ireland*, according to the late combination of the three Nations into one Common-wealth. *Diſs Parliament now modelled.*

This new kind of Parliament being met at the time and place appointed, God who had ſo well ordered the Elections, notwithſtanding the practices of Men, that their Engliſh Spirit quickly appeared againſt Impoſitions, both from Court and Army, which being diſcerned by the Protector and his Grandees, a Recognition is ſent to them to be drawn into a bill, the debate whereof taking up a whole fourtnights time, and they ſtill remaining in a great ſtreight, till, by the expedient of an honeſt Gentleman, they were extricated thence by paſſing theſe votes on *Munday* the 14th. of *February*, 1658. without any diviſion or negative. *Act of Recognition.*

Reſolved, *that it be part of this Bill to Recognize and declare his Highneſſe* Richard *Lord Protector, and chiefe Magiſtrate of the Common-wealth of* England, Scotland, *and*

Ireland, *and the Dominions, and Territories thereunto belonging,*

Reſolved, *that before this Bill be committed, the Houſe do declare ſuch additionall clauſes to be part of this Bill, as may, bound the power of the chief Magiſtrate, and fully ſecure the Rights and Priviledges of Parliament, and the Liberties and Rights of the People, and that neither this nor any other previous vote, that is, or ſhall be, paſſed in order to this Bill, ſhall be of force, or binding to the People, till the whole Bill be paſſed.*

Committee of inſpection.

This done, a Committee of Inſpections is appointed to take a view of the accounts and revenue of the Common-wealth, & twelve Members verſed in matters of account, were ſelected and fully impowered for that work, in order to the leſſening the charge of the Common-wealth.

Parl. to conſiſt of two houſes.

On *Saturday* the 19th. of *February*, they re-aſſumed the debate upon the Act of Recognition and reſolved, That it be part of the bill to declare the Parliament to conſiſt of two houſes: after which they fell upon the point of bounding the chiefe Magiſtrates power and the bounds and powers of the other houſe, the Protectors party ſtanding for the powers, given by the Petition and advice, and the reſt of the houſe withſtood it as of no value being obteined by force, by which force alſo thirteen hundred thouſand pounds a year was ſetled for

for ever upon the ſingle perſon: and the ruling members of the other houſe, being a hotch potch or medley of Officers of the Army, and Protectorian Courtiers, contrary to the law of the land, and to the enſlaving of the people. By this means nothing being done herein as to the powers, the *Cromwelians*, that they might enforce ſomething, propoſe the queſtion of tranſacting with the perſons ſitting in the other houſe as an houſe of Parliament, urging both law and neceſſity for the ſame, yea threatning force from the Army upon refuſall; notwithſtanding all which a whole fornight the honeſt party of the Houſe thought of nothing leſs, aſſerting the undoubted Right of the antient Peers, and denying all the reſt, but ſeeing nothing could be done till this was over, in a very full houſe they came at laſt to this well qualified reſolve

The other houſe debated.

Reſolved.

That this Houſe will tranſact with the Perſons now ſitting in the other houſe, as an houſe of Parliament, during this preſent Parliament. And that it is not hereby intended to exclude ſuch Peers as have been faithfull to the Parliament, from their priviledge of being duly ſummoned to be Members of that houſe.

Herein may be ſeen ſomething of the old Engliſh gallantry, for in this vote thoſe in the other Houſe are not owned as Lords, (but called the Perſons now ſitting in the other Houſe as an houſe of Parliament) nei-

ther would the Commons treat and confer with them in the uſuall way, as with the houſe of Peers, but found out a new word (to tranſact) and that neither but upon tryall, *Viz.* during this preſent Parliament. And the better and more legally to curbe them if they ſhould begin to grow imperious, they inſerted the priviledge of the antient Peers as a good reſerve, concluding alſo to receive no meſſage from them, but by ſome of their own number.

The intent of that Parament.

During this time, they had under conſideration ſeverall good Acts about the Militia, againſt Exciſe, concerning Cuſtomes, &c. and queſtioned diverſe illegall impriſonments, calling ſome Jaylors to the Bar, and preparing a ſtrict bill to prevent the unlawfull ſending Freeborn Engliſhmen againſt their wills to be ſlaves in forreign Plantations; They alſo examined ſeverall grievances, by the Farmers of the Exciſe, Major Generalls, and tyrannicall, and exorbitant Courts of Juſtice. The Committee of Inſpections having by this time brought in their report by which it did appear, that the yearly incomes of *England*, *Scotland*, and *Ireland*, came to Eighteen hundred ſixty eight thouſand ſeven hundred and ſeventeen pounds, and the yearly Iſſues to, Two Millions, two hundred and one thouſand, five hundred and forty pounds. So that, Three hundred, thirty two thouſand eight hundred twenty three pounds of debt incurred yearly by the *ill* management of double the revenew that ever any King of *England* enjoyed: And to maintain the unjuſt conqueſt of *Scotland* coſt us yearly, One hundred ſixty three thouſand ſix hundred and nineteen pounds more than the revenew of it yields.

Committee of inſpections report.

At theſe proceedings the Protector and the Army, who

who were already jealous of one another, grew both ſuſpicious of the Parliament, becauſe the people begin to ſpeake as if they expected great good from the iſſue of their Counſells, therefore the Army, (leaſt they ſhould come too late) put in for to get the power into their hands, and according to the method uſed by them in like caſes, erect a Generall Councill of Officers who daily meet at *Wallinford-houſe*, which the Protector hearing, endeavours to countermine at *Whitehall*; but they, better skilled in their work than he was, conclude a repreſentation, which is with ſpeed both drawn and preſented to him about the ſeventh of *Aprill*, a copy whereof the next day after is ſent encloſed by him in a Letter to the Speaker of the Houſe: who hereupon takes the Alarum, and while the Protector thinks to ſecure himſelf by ſtanding on his guard, they not fearing the menaces of the Souldiers, but reſolving to behave themſelves like true Engliſhmen, on *Munday* the 18th of *Aprill* paſſed theſe votes following.

Diviſion between the Protector Praliament and Army.

Reſolved,

That during the ſitting of the Parliament, there ſhould be no generall Councill or meeting of the Officers of the Army without direction, leave and Authority of his Higneſs the Lord Protector, and both houſes of Parliament.

Reſolved,

That no perſon ſhall have and continue any command, or truſt in any of the Armies, or

or Navies of England, Scotland, or Ireland, *or any the Dominions and Territories thereto belonging, who ſhall refuſe to ſubſcribe. That he will not diſturbe or interrupt the free meeting in Parliament, of any the members of either houſe of Parliament, or their freedom in their debates and Counſells.*

Now that this bitter pill might be the eaſier ſwallowed, knowing, or at leaſt believing that want of money was the thing that pinched in chief as to the private Souldier, (without whom the Officer was worthleſs) they paſſed a vote to take into conſideration how to ſatisfie the Arrears of the Army, and provide preſent pay for them, and alſo to prepare an Act of Indempnity for them. But all this tended nothing to ſatisfaction, for the Souldier being through Levened with the wicked deſignes of their Officers, did nothing but murmur, eſpecially ſince the Protector in purſuance of the votes of the houſe had forbidden the meetings of the Officers; ſo that now the animoſities grew ſo high, that guards were kept night and day by one againſt the other, in which divided poſture the management of affairs, continued till *Friday* the 22. of *April*, on which day early in the Morning, *Fleetwood*, *Deſborough*, and the reſt of the Mutinous Officers, with the greateſt part of the Army at their beck, the *Cromwelian* party not daring to ſtir, got the ſupereminency, and forced young *Richard* to conſent to a commiſſion and Proclamation ready prepared, thereby giving power to certain therein named to diſſolve the Parliament, although he had with much

Dicks Parliament diſſolved.

much ſerious earneſtneſs proteſted and promiſed, rather to dye than be guilty of ſo puſillaminous an act which he was well aſſured would work for his confuſion But *actum eſt*, for the ſame day the black rod was ſent twice to the houſe of Commons to go to the other houſe which they refuſed and ſcorned, but underſtanding there were guards of horſe and foot in the Pallace yard, after ſome ebullient motions, without reſolving any queſtion, they adjourned till *Munday* morning, the five and twenty of *April*, and with much courage and reſolution attended the Speaker in order through *Weſtminſter-Hall* to his Coach, even in the face of the Souldiery.

The Army having thus for the preſent miſſed their deſign, reſolve no longer to dally; whereupon they lay aſide their new Mr. *Richard*, and all the Officers great and ſmall with one conſent, take the Government into their own hands, having ſhut up the houſe of Commons door, whither when the Members came on *Munday*, entrance was denyed them by the Souldiers, who had poſſeſſed themſelves of the Court of requeſts and all avenues in all places, giving no other account to the Members than this, *Viz.* They muſt ſit no more.

The Army new modelled.

The next meeting of Officers new modelleth themſelves, ſome they caſheire as *Whaly*, *Ingoldsby*, *Goffe*, &c. others they re-admit, as *Lambert*, *Haſelrig*, *Okey*, and others, in which time not knowing how to behave themſelves in ſuch a condition, and weary of the perpetuall toyle they foreſaw, they muſt ſtill with ceaſing undergo; they mean to caſt the burthen off from their own ſhoulders, and to that purpoſe they ſend to ſome of their old hackney drudges of the long Parliament, (as they then did call it) at that time about *London*, whoſe

The Rump comes in.

whoſe conſciences they knew would digeſt any thing, and did not care how, *per fas aut nefas*, ſo they might again be ſuffered to ſit, with ſeverall of theſe, I ſay, upon the fifth and ſixth dayes of *May* they had conference, the laſt of which was at their never failing Speakers, the Maſter of the Rowles houſe in *Chancery-Lane*, where both Officers of the Army, and pretended Members, to the number of twenty ſollicited *William Lenthall* Eſquire to ſit Speaker again, but he objected diverſe ſcruples in judgment and conſcience: (But O how ſoon had the ſweet ambition of domineering obliterated all ſuch idle fancies?) yet nevertheleſs inſtantly fifteen Articles being agreed upon among themſelves, they conclude to meet in the houſe on *Saturday* the 7th. day of *May*, and the better to compaſs their ends by a baſe and clandeſtine ſurpriſe, they gave out that they would not ſit till *Tueſday* the tenth of *May*, yet ſurreptitiouſly, as I ſay, they met early on *Saturday* in the painted Chamber at *Weſtminſter* and wanting of their number to make up a houſe, they ſent for thoſe two debauched luſtfull Devills, the Lord *Munſon*, and *Harry Martin* out of priſon, where they were in Execution for debt, with *Whitelock*, and *Liſle* of the Chancery Court, making in all forty two, the Chancery Mace alſo for haſt being carried before them, *William Lenthall* Eſq. their tender conſcienc'd Speaker, together with the ſaid

Names of the Rumpers.

L. *Munſon.*
Henry Martin.
Mr. *Whitlock.*
Mr. *Liſle.*
Mr. *Thomas Chalone*
Alderman *Atkins*
Alderman *Penington.*
Thomas Scot.
Cornelius Holland.
Sir *Henry Vane.*
Mr. *Prideaux* Att. Ge
Sir *James Harrington.*

L. G.

L. G. *Ludlow.*
Michael Oldſworth.
Sir *Arthur Haſelrig.*
Mr. *Jones.*
Col. *Purefoy.*
Col. *White.*
Harry Nevill.
Mr. *Say.*
Mr. *Blagrave.*
Col. *Bennet*
M. *Brewſter.*
Sergeant *Wilde.*
John Goodwin.
Mr. *Nich. Lechmore.*
Auguſtine Skinner.
Mr. *Downes.*
Mr. *Dove.*
Mr. *John Lenthall.*
Mr. *Saloway.*
Mr. *John Corbet.*
Mr. *Walton.*
Gilbert Willington.
Mr. *Gold.*
Col. *Sydenham.*
Col. *Bingham.*
Col. *Ayre.*
Mr. *Smith.*
Col. *Ingoldsby.*
And Lieutenant Generall *Fleetwood.*

Stole on a ſudden into the houſe, the invitation of the Army for ſitting of the long Parliament being firſt publiſhed in *weſtminſter-Hall.*

Upon notice of this ſurpriſe of the houſe by ſo few, there being more than double the like number of members of the ſame Parliament there, and about town, ſome of them at the ſame inſtant in the Hall, they to prevent future miſchief, (whereof this packing of Parliament men was an ill Omen) to the number of fourteen, went immediately into the Lobby, and the perſons that did ſo were theſe, *Viz.*

Mr. *Anſlewy.*
Sr. *George Booth.*
Mr. *James Harbet.*
Mr. *Prinne.*
Mr. *George Montagu*
Sir *John Evelin.*
Mr. *John Harbert.*
Mr. *Gewen.*
Mr. *Evelin.*
Mr. *Knightly*
Mr. *Clive.*
Mr. *Hungerf*
Mr. *Harbey.*
Mr. *Pecke.*

Secluded members.

But aſſoon as they came near the door, they were not ſuffered by the Officers of the Army to go into the houſe, though they diſputed their priviledge of ſitting, (if the Parliament were not diſſolved) but reaſon not prevailing, after they had thus fairly made their claim they retired, reſolving to acquaint the Speaker by letter of their uſage. And accordingly on *Munday* the 9th. of *May* they went to *Weſtminſter*, where the guards being not yet come, Mr. *Anſley*, Mr. *Prinne*, and Mr. *Hungerford*, went freely into the houſe, receiving the Declaration of the 7th. of *May* at the door, But *Mr. Anſley* walking down into the Hall, (the houſe not being ready to ſit) at his return was by one Capt. *Lewſon* of *Goffes* Regiment and other officers denyed entrance, Mr. *Prinne* continued within and reſolved ſo to do, ſince he ſaw there a new force upon the houſe, whoſe only ſtaying (ſo guilty were the reſt of their evill actions) made them looſe that morning, and adjourn without the Speakers taking the chair. And to prevent his or any other honeſt mans coming in among them, after that they barred the door by the following Vote.

Vote againſt the ſecluded members.

Ordered.

That ſuch perſons heretofore, Members of this Parliament, as have not ſate in this Parliament, ſince the year 1648. And have not ſubſcribed the engagement in the Roll of engagement of this Houſe, ſhall not ſit in this houſe till further order of the Parliament.

Thus

Thus (to the griefe of all honeſt and true hearted Chriſtians) the ſame pretended Parliament that was ſitting in 1653. (till *Oliver* diſſeized them) ſitting again in 1659. upon a Declaration of the Army, with the ſame reſolutions they had before, minding nothing but prefering one another, and their friends into good Offices and commands, and Counſellors places, as appear by their Vote of the 29th. of *May, Viz.* The good old cauſe what.

The Parliament doth declare, that all ſuch as ſhall be employed in any place of truſt or power in the Common-wealth, be able for the diſcharge of ſuch truſt, and that they be perſons fearing God, and that have given teſtimony to all the people of God, and of their faithfulneſs to this Common-wealth, according to the Declaration of Parliament of the 7th. *of* May.

Now who they mean by perſons fearing God in their canting language, by their very next work you ſhall ſee, which is the nominating a Councill of State, into whoſe hands is given the diſpoſe of all places of truſt and profit, yea and the command of the wealth of the Kingdom; thoſe of the houſe are as follow. Councill of State nominated.

Sir *Arthur Haſelrig.*
Sir *Henry Vane.*
Ludlow.
Jo. Jones.
Sydenham.
Scot.
Salaway.
Fleetwood.

Sir *James Harrington.*
Col. *Walton*
Nevill.
Chaloner.
Downes.
Whitlock.
Harb. Morley.
Sydney.
Col. *Thomſon.*
Col. *Dixwell.*
Mr. *Reignolds.*
Oliver St. *John.*
Mr. *Wallop.*

Of Perſons without the houſe Ten. *Viz.*

John. Bradſhaw
Col. *Lambert.*
Desborow.
Fairfax.
Berry.
Sir *Anthony Aſhley-Cooper.*
Sir *Horatio Townſend.*
Sir *Robert Honywood.*
Sir *Archibald Johnſon.*
And *Joſia Berners.*

Who under the mask of the good old cauſe began now to act as high villains as ever before; having forgotten how juſtly they formerly had been laid aſide, but they are like the dog that returnes to his vomit, and with the ſow that is waſhed, to her wallowing in the mire.

The good old cauſe what it is.

And the better to caſt a ſeeming gloſs over the foulneſs of their actions, and their clandeſtine intruſion into the Government, they ſend forth a Declaration in print, the particulars whereof might very well have been here obſervable, if they had not already been ſo cleerly demonſtrated, by the laborious pen of learned Mr. *William Prinne*, in his book entituled, The Republicans good old cauſe ſtated; having therein ſo fully detected them, that there remains nothing more to be ſaid in the ſame matter.

Remainder of Crown lands to be ſold.

And now, as if already they had not waſted enough, by expoſing to ſale the Kings, Queens, Princes, Nobles and

and Gentries, Lands and Goods, being very quick ſighted, and of a long and large memory, whereby they knew all was not ſold: therefore about the beginning of *June*, to ſhew us further what they meant by the good old cauſe, they ordered the bill for publick ſales to be brought in; A ſweet act, to enrich the ſaints, as they in their canting language called themſelves; but their neceſſities (by the long deteining of the publick purſe from them) being grown very preſſing, and though they thought the money ariſing from thoſe ſales would be ſure, yet for their preſent urgencies (not being able to ſtay till that could be raiſed) they appointed the ſame afternoon to conſider of a more ſpeedy way for raiſing money, for that was all they ever aimed at, or hoped for, and to this purpoſe a bill of Aſſeſſement is concluded the moſt fitting: And becauſe they would leave no ſtone unturned, from which they might hope gain, ſee how ingeniouſly they can project, making an order to the Committee of inſpection (a precious crew) to take ſpeciall care that ſuch perſons who have aſſumed the titles of Honour, Dignities and precedencies heretofore conferred on them by the late King, ſince the ſame were taken away by act of this preſent Parliament, do pay the ſeverall ſummes of money by them forfeited, and that the ſaid Committee do alſo examine whether they have brought in their Patents, and to report how the ſaid monies may be employed to the beſt advantage of the Common-wealth, and to offer an act to take away all honours conferred by the late Kings Son. Was there ever ſuch a piece of unſeemly inconſiſtency, that the Fountain of honour ſhould be debarred of its ſpring by a company of peaſants, whoſe Acts were no better than of an aſſembly

Quærenda pecunia primum.

Honours given by the late King or his Son to be null.

of

of rogues at beggars tush; but would you know why they were so much troubled; 'twas precedency the stuck in their stomachs, those noble souls went befor them both in honour and honesty therefore seeing the could not hinder them from being called Lords by c thers, yea the generality, they lay it as a crime of prid upon them, that they did assume such titles, for whic imaginary fault they must pay the summes forfeited fc such insolence against their Rumpships. O this *Auri sacra fames, quid non mortalia pectora cogit*, what will it not make them do? They first must pay, then bring in their Patents, otherwise pay again: thus the Divel rangeth, fiercest, when his time is most short; for so generally was theirs hoped to be, in regard they and their Masters of the Army could not cotton together, being already alarumed from them by a petition and address, yet they grew a little more confident upon the newes of *Harry Cromwells* submission, and falling down to worship the image which they had set up, *Meucke* also having about the same time, sent them the resolutions of himself and his Army to adhere to them, as a testimony whereof he informed them of a design of an Agent from the King of Scots (as they called him) which his diligence and care in the Highlands had prevented.

The Army fright the Grandees.

Money matters only taken notice of.

These newes so animated our Junto, that thinking all cocksure, they fall to their old Trade of raising money. First by assessments, then by continuing the Excise and Customes untill the first of *October*, and lastly by ordering the Trustees for sale of Crown Lands, forthwith to proceed to the sale of all computed within the Act for sale thereof, and that they take care of the profits arising from the same, for the use of the Common-wealth till sale thereof be made. Mo-

Money being thus taken care for to be raiſed by all means, ſuddenly after by a Vote they revive the Committee for plundered miniſters (or rather for plundering miniſters) that ſo they may alſo provide them of hacknies who ſhall infuſe into the people ſtrange Enthuſiaſtick wayes of Government. It was not enough with *Jeroboam* to cauſe a generall rebellion, but with him alſo to uphold it, they make of the loweſt and baſeſt of the people, Prieſts of their high places, for whom the old way of tythes is not thought good enough, it was conſulted how a more equall and comfortable maintenance might be ſetled on the miniſtry for ſatisfaction of the people, whom thus intending to lull aſleep: they reſolve to advance their own ſafety by colloguing with the land forces with promiſes of ſudden pay, and ſtrengthening the Navy by impreſſing Seamen, which about this time, in *June* they were about, And leſt they ſhould be wanting to themſelves in any thing, mercenary drudges of the Junto begin to take upon them as may appear by this order.

Plundered Miniſters and Tythes.

Seamen to be impreſſed.

22. *June.* 1659

By the Contractors for ſale of Crown Lands.

Crown lands expoſed.

Theſe are to give you notice, that Somerſet-houſe *with the Appertenances, and* Hampton-Court *with the parkes, &c. Thereunto belonging, are ſpeedily to be expoſed to ſale, and that the Contractors intend to ſit in* Wedneſday *next the 29. inſtant, to take the deſires of ſuch as intend the purchaſe of*

any

any part of Somerſet-Houſe, *and on* Wedneſday *the* 6th. *of* July, *the deſires of any that intend the purchaſe of any part of* Hampton-Court, *the premiſes are to be ſold for ready money.*

Will. Tayler *Clark attending the ſaid Contractors.*

Indeed the laſt clause for ready money was very neceſſary, as affairs then ſtood, for the Grandees at *Weſtminſter*, having only waſted and imbezelled the reſt by diviſions and ſharings among themſelves and friends, with no advantage to the publick Exchequer, they would now ſeem to begin to amend, but it is according to the Proverbe like ſowre ale in Summer, for they intended nothing leſs than increaſing the publick ſtock, but rather by augmenting and converting it to their own uſe, make a hoped proviſion againſt an enſuing ſtorm, which they foreſaw would ere long fall upon them without any means of prevention: yet reſolving to ſhare the ſpoil as long as they could, at *Midſummer*, they re-made their everlaſting Speaker, *Cuſtos rotulorum*, of *Oxford* and *Berkſhires*. And that worſhipfull Judas, Sir *H. Mildmay*, *Cuſtos rotulorum* for *Eſſex*, with ſeverall other the like places to diverſe of their leading members, as the Government of *Jerſey* to Col. *Maſon*, and ſeverall Regiments in *Ireland* to Col. *Cooper*, Col. *Zankey*, Col. *Sadler*, and Col. *Laurence*.

Offices beſtowed and on whom.

Cromwell leaves Ireland.

Having proceeded on thus far ſucceſfully, they now begin to clap their wings as invincible, *Ireland* being de-

delivered up wholly and quietly into their power by that pitifull cowardly Impe *H. Cromwell* who had already attended their pleaſure at the Commons bar, for which good ſervice they ſtroaked him on the head, told him he was a good boy, for which kindneſs he buſſed his hand, made a leg and *Exit.*

But leave we him to ſtupid folly, and let us ſee what rates Crown land bears, the Contractors lately were very buſie, and behold the product.

June. 29. 1650.

By the Truſtees and Contractors appointed by Act of Parliament, for ſale of the Caſtles, parkes, &c. exempted from ſale by a former Act.

Theſe are to give notice, that there are Competitors for the purchaſe of Somerſet-Houſe, *with the Appurtenances in the* Strand, Middleſex, *which therefore is to be expoſed to ſale for ready money, by the box to be opened on* Friday, *the eight of* July *next. The annuall value being* 233. l. *the groſs value of materialls, &c.* 5545. l. 1. ſ. 3. d. *At which time ſuch as deſire to purchaſe the ſame may put in their papers with their name ſubſcribed into the box aforeſaid at* VVorſeſter-

Sommerſet-houſe ſet to ſale &c.

Houſe, *conteining how many years purchaſe, (not under 13.) they will give for the annuall value, &c. and he that offers moſt is to have the purchaſe.*

VVill. Tayler *Clarke, &c.*

At the ſame time they appointed to ſell ten brace of Buckes, or more out of *Hampton-Court* Parkes, and ſo from time to time.

Thus did they ſtrive to make havock of whatever belonged to the King, which indeed, and no other, was the good (or rather curſed) old cauſe that theſe miſcreants ſo luſtily fought for, and ſo loudly cryed up.

And now, leſt they ſhould ſeem ingratefull to *Richard Cromwell*, who had ſo tamely left the chair of State to theſe Mountebanks to ſit in: they vote him an exemption from all arreſts, for any debt whaſoever, for ſix moneths, and appoint a Committee to examine what was due, for mourning for the late Lord Generall *Cromwell*, and to conſider how it may be paid for, without charge to the Common-wealth.

R. Cromwell protected.

Kind Gentlemen ſurely they are, they take all he hath from him, and then allow him a penſion; they rob him of a pound and give him a farthing, not a feather of his own bird, and well ſo too: for his ambitious ſtepping into the royall ſeat, deſerved a greater puniſhment, which 'twas a wonder how he eſcaped, ſince Uſurpation and Tyranny in different hands are generally vehement ſcourges to each other, and alwayes torments to themſelves; as will appear by the ſequel.

For

For theſe godly great ones, being now newly warm n their ſeats, begin (as of old) to dream of Jealouſies nd fears: Plots, Plots, nothing but Cavaleer plots ings either in their ears or mouths: if two Gentle- nen do but meet accidentally in the Street, and talk ogether, ſtraight there is a confederacy, and they muſt e committed to priſon for doing nothing, ſo that we night ſay with that Noble Romane *Cicero*, *Circumſpice mnia membra Reipublicæ, quæ nobiliſſima ſunt: nullum reeritur profecto quod non fractum, debilitatumve ſit. O rem niſeram! dominum ferre non potuimus, conſervis vero am ſervimus.* A ſad cauſe of complaint, to live in uch a ſlavery; but our Taskmaſters would fain ſeem nerciſull, witneſs their Act of Indemnity, which came ut in print about *July*, wherein they except none from pardon but only ſuch whoſe conſciences are not large nough to approve of open Rebellion, as the laſt clauſe f their ſaid mock-Act will ſhew, wherein all are ebarred the benefit of the ſame, even from ſixteen ears of age, unleſs they ſubſcribe againſt a ſingle per- on, Kingſhip or houſe of Peers; all ſins can be di- eſted by theſe fellowes, except lawfull obedience to nagiſtracy, which they ſo abominate that all perſons that re tainted therewith muſt not only depart out of *Lon- on*, but out of *England*, in either whereof if they be aken, they ſhall be proceeded againſt as Traytors: and ll perſons are impouered to take and apprehend them, or encouragement of which roguery every one that liſcovers, or takes ſuch a perſon was to have ten pounds rom the Councill of State; Surely they are in a reat fear, elſe what ſhould they make all this noiſe, nd buſtle ſo furiouſly on a ſudden, to ſettle and raiſe a ew militia, but *latet anguis in herba*, for now (it being

New plots and jealouſies.

Act of indemnity pardons all but Cavaliers.

the Dog-dayes) the houſe grew ſo hot, that diverſe members withdrew, whereby the reſt in regard of their fewneſs, being become incapable to act, becauſe not enough to make up a houſe, according to their own phantaſticall modell on *Friday* 22. of *July* did Reſolve.

Members to attend. *That the Members of Parliament, who have had Letters to attend the ſervice of the Parliament, or have actually attended ſince the 7th. of* May, 1649. *be hereby injoyned to give their attendance in Parliament every Morning at eight of the clock, for fourteen dayes, and if employed by Parliament, within a fourtnight.*

Alas, poor men, the harveſt truly was great, but the labourers few; therefore it was time to call for more help, for which now they are ſo put to it, that they hardly know which way to turn themſelves: they complain of deſignes, & of buying up of Armes to diſturbe the peace, which made a great one among them ſay, this reſtleſs Spirit of the common Enemy ſhould excite the friends of the Common-wealth to diligence and to ſtudy unity, that advantage may not be given by diviſions, but that we may be all of one Spirit to uphold and promote the common cauſe that hath been contended for. And the better to colour their villanies (according to their uſuall cuſtome in like caſes when they had miſchief to do) they ſet apart a day of faſting and humiliation; and to ſhew that they were the ſame men and of the ſame (if not worſe) mind than formerly for rapine and blood, they pro-

A faſting day ſet a part for miſchief.

roclaim *J. Mordant* Eſquire, with ſeverall others trayors; and order the Lady *Howard*, Sr. E. *Byron*, and Mr. *umner*, to be brought to a ſpeedy triall, for dangerous and trayterous deſignes, of bringing this Nation ito blood and confuſion again: that is for endeavouring to reſtore his Sacred Majeſty to his lawfull birthght and dominions, for which the whole current of ie law is conſtant encourager, although theſe mens frontery is ſuch, that they dare ſay any thing by an fallible Spirit as they imagine, and the World is bound believe them. But their vizor being now ready to ll off, and the people not willing to be any longer inded, begin to move in moſt parts of *England*, which mads the Phanatick faction, that they ſeaze upon erſons, horſes, and armes all about *London*, increaſe id double their guards, ſtop paſſengers, even on ie Road, the Councill of State (ſo called) ſits night id day without intermiſſion, whereby the City militia id all the forces throughout *England* were drawn into body to prevent the danger. Yea ſo generall was ie fear that they begin to court the people in their iting way. Commotions.

And becauſe you ſhall ſee their deſperate fear of, id diveliſh malice to, the King and his Friends, take ie words of one of themſelves as they paſs, *Viz. The ord ſtir up the hearts of his people to prayer and ſincere miliation, and fill them with unanimity and courage in is evill time, and make the People to ſee, that whatever ir pretences may be made uſe of by the common Enemy, to t power into their hands, yet ſhould they prevail, no man at hath been of a party againſt them heretofore, yea no man at hath been a meer Neuter, but muſt expect that his priate Eſtate, as well as the publick Liberty, ſhall become a* A canting lye.

prey

prey to a deſperate crew of ravenous and unreaſonable men: for (ſaith he) like an irreverent Villain) let but CHALES STUART *get in, and then to ſatisfie the rable of followers, and the payment of forreyners to enſlave you, you ſhall ſoon ſee them entailed upon your ſelves and your Poſterity, to maintain the pompe and pride of a luxurious Court, and an abſolute Tyranny.* Thus far he, which how much truth, yea or but probability thereof is therein; I dare appeal to the greateſt Enthuſiaſt among their whole gange: for if there were nothing in it elſe but the rayling (beſides all the falſity and Scandall) it were ſufficient to convince the Speaker to be a Son of *Beliall*, as having ſo far forgotten grace, and laid a ſide all honeſty, that he durſt rail againſt the Lords anointed, concerning whom the Scripture forbiddeth to have an evill thought, but tis the cuſtom of rebells to go on from bad to worſe, and when they have once drawn the ſword againſt their Prince, to throw away the ſcabbard, and never entertain a thought of return or repentance, like the bold Uſurper in the Poet

The more we are oppoſed the more wee'le ſpread,
And make our foes our fuell: To be head.
Wee'l, cut off any member, and condemn
Vertue of folly for a Diadem.
Baniſh Religion, &c.

The uſe of the Juncto's faſting.

And ſuch was their practice, though ſometimes (eſpecially when encompaſſed with dangers) they hang their head like a bull ruſh, and even but mock God with a faſt, while they only pray to be proſperous in their villany

About this time, the whole Nation of *England* began

gan to grow ſick of the abhorred fag end of a Parliament, endeavouring to make head againſt them in *Kent*, *Suſſex*, *Surrey*, *Hartford*, *Hereford*, *Gloceſter*, *Briſtoll*, in *Cheſhire* eſpecially, where many of the Gentry were actually engaged, correſpondence maintained, a rendevous appointed, and the antient City of *Cheſter* ſurpriſed: this indeed was the moſt formidable appearance in all *England*, for the only appeaſing whereof moſt of the County forces in thoſe parts, and ſeveral Regiments of the Army from *London*, did ſpeedily march under the command of a hot-ſpur zealot, Mr. G. *Lambert*, whoſe ambition made old Nol lay him aſide as dangerous, and that diſhonourable diſcarding created him a deſperate Enemy to the *Cromwelian* name and family, which made the Juncto think him the fitter man for their ſervice, Sir *G. B.* appeared commander in chief in *Cheſhire*, though many other Noble Gentlemen, were preſent, ſo that this ſeemed to be the moſt likely place for Action. *Lambert* according to Order being upon his march thither, with three Regiments of horſe, and three Regiments of Foot, and one Regiment of Dragoones, beſides a train of Artillery: and the Juncto for his encouragement ſhot a paper gun (by them called a Proclamation) after him againſt Sir *George Booth*, Sir *Thomas Middleton*, *Randolph Egerton*, proclaiming them and their adherents to be Rebells and Traytors, and all elſe that ſhould any way aſſiſt, abet or conceal the carrying on of their deſign; backed thus he marcheth furiouſly, and in a fourtnight or three weekes time draweth neer to *Cheſhire*, in the mean and during his abſence, the congregated Churches of Schiſmaticks and Sectaries in and about *London*, raiſe three Regiments for the ſecurity of thoſe parts, in the inter-

England ſick of the Rump.

Arming in *Cheſhire* by Sir *G. B.*

valls

valls of which time, Sir *George Booths* Declaration came out in print, the contents whereof was ſetting forth how the *Weſtminſter* Stateſmen had violated all lawes of God and Men; that the defence of the lawes and liberties was the chief things he and his aimed at, which would never by theſe ſelf ſeekers be ſetled, and therefore deſired a new free Parliament. This, as it carried nothing in it but what was reall true, ſo it gave very great ſatisfaction to all underſtanding people, though by the Phanatick rout it was deſcanted upon otherwiſe: But Gods time was not yet come, for *Lambert* no ſooner arrived with his Army neer Sir *George Booth*, and his forces, but he fell on them with valour and violence, which produced a very ſharp engagement, but the Country not being acquainted, nor uſed to ſuch hot & furious work quickly yielded ground: Sr. *Georges* whole body being afterwards drawn forth neer *Northwich*, and poſſeſſed of the bridge, they drew up their foot in the meadowes, yet *Lamberts* Men being commanded to attempt the paſs, did it with ſuch reſolution that they ſoon beat the Enemy from them, and made way for the whole Army, who having paſſed the river immediately gave them a totall rout.

Sir G. B. routed.

The newes of this victory ſo fleſhed our bloodhounds, that they began to boaſt above meaſure, vaunting the Lords mercy to them (his own people forſooth) but Juſtice to their adverſaries in ſo apparently blaſting their Trayterous undertakings in every corner of the land; like the turkes, reckoning the goodneſs of their cauſe by the keenneſs of their ſword, and denying that any thing may properly be called *Nefas*, if it can but win the Epithete of *Preſperum*.

Their maxime to make good their cause

The Junćto upon this, ſet forth a Declaration to invite

vite all the people to thankſgiving, for this great deliverance to the Parliament, and Common-wealth, (as they ſtiled themſelves): but *Lambert* intends to make uſe of his ſucceſs againſt the loyall party for himſelf, and to that end in a ſeeming, ſlighting and neglect of himſelf, writes to the Parliament his Souldiers merits, with whom (the ſooner to endear them) he is more than uſually familiar: and the Parliament have no ſooner voted him 1000 l. to buy him a Jewell, as a mark of their favour, but he preſently diſtributes it among his Souldiers, endeavouring by that and all other means to engage them wholly to himſelf, ſo as to venture in one bottom with him; he yet carried himſelf ſo, that his ambitious deſign was not diſcovered, and that he might the better conceal: at this time Sir *George Booth*, who had fled from the battle, at *Northwich* in *Cheſhire*, was taken at *Newport-Pannel* in diſguiſe; upon notice whereof, he is committed cloſe priſoner to the *Tower* of *London*. for high Treaſon, in levying warr againſt the Parliament, and Common-wealth, and that a Committee be appointed on purpoſe to examine him, all which was done accordingly, and Sir *Henry Vane*, and Sir *Arthur Haſelrig*, (two Saints of the Divells laſt edition) went to him to take his examination.

Lamberts baſeneſs.

Sir G. B. taken.

While things are thus in handling here, *Lambert* ſeeks cunningly to get all the ſtrength of thoſe Counties into his own hands, which the Parliament at his requeſt grant him, by giving him power to ſeize all armes for their uſe (as he pretended) in the ſame: of which piece of ſervice they ſeemed to be very glad as alſo of letters that came out of *Scotland*, aſſuring Generall *Monkes* fidelity to them againſt the intereſt of the *Stuarts*, or any other whatſoever, ſo that now they be-

A triall of the royall family.

gan to deſcant on the late deſign, laying all the blame on the loyall party, whoſe game they ſaid it was, though he leaſt appeared in it, taking occaſion alſo from thence to blaſt the royall family with helliſh ſcandalls: the ſafety of which the divine providence hath alwayes had a particular and peculiar care of, but as it were in deſpight of Heaven, they are not content with all their former wickedneſſes of baniſhing, exiling, and railing againſt their lawfull Soveraign, but now they will enforce all to renounce him, which in *September* they Reſolved in theſe words.

Oath of abjurati. on.

J. A. B. *Do hereby declare, that I renounce the pretended title of* CHARLS STUART, *and the whole line of the late King* James, *and of every other perſon, as a ſingle perſon, pretending to the Government of theſe Nations, of* England, Scotland, *and* Ireland, *and the Dominions and Territories thereunto belonging. And that I will by the grace and aſſiſtance of Almighty God be true, faithfull, and conſtant to this Common-wealth againſt any King, ſingle perſon, and houſe of Peers, and every of them, and hereunto I ſubſcribe my name.*

Thus may every one ſee, that it was not to amend or reform any errours in the State, but only their particular malice to the Royall line and covetouſneſs after their

their Eſtate, that made them run into ſuch deſperate deſignes, wherein having ſo deeply engaged themſelves, that there was no going back, they mean to make all ſure to their intereſt: and to that end take into debate in the beginning of *September*, the matter of the Government, and referred it to a Committee upon the votes *in* 1648. To prepare ſomething in order to the ſettlement of the Government, on or before the tenth of *October*. *The blindneſs of the Junto.*

See here the indiſcretion of theſe men, after a ten years unſettlement and bringing all into confuſion, in all which time they have minded nothing but their own private wealth, and till this laſt minute of time have not ſo much as thought of reſettling; and that they now have, is ſo weakly, that it tends no further than to an offer: thus running willingly into one crime, they daily perpetrate new ones without any ſenſe of evill, or will of amending, attributing the guilt of their faults to all that endeavour either to reform or puniſh them.

The buſineſs of *Cheſhire* thus blown over, and the great hopes that were grounded thereon blaſted; the Junto fall to their old humour of raiſing money, no leſs will ſerve their turn than 100000. l. a moneth, beſides Exciſe and Cuſtomes, together with the hoped benefit that would ariſe from the ſequeſtred Eſtates of new Delinquents; and leaſt any thing ſhould eſcape them, the 16th. of *September* they vote. *Taxes and excise confirmed, new delinquents made and militia arreas collected.*

That ſuch perſons as have been aſſeſſed to find horſes and Armes, by vertue of the Act of Parliament, for ſetling the Militia, and have not brought in their horſes and Armes,

nor paid in lieu thereof the ſumm of money, appointed by the ſaid Act. That every ſuch perſon and perſons do under the penalty in the ſaid Act mentioned pay, after the rate of ten pounds for an horſe and Armes for ſuch number of horſes and Armes reſpectively as they have been charged to find.

Reſolved,

That ſuch perſon and perſons as have been aſſeſſed to find Armes for a foot Souldier, and have not ſent in the ſame, or money in lieu thereof, do under the penalties in the ſaid Act mentioned pay, reſpectively for every ſuch foot Armes, ſuch ſumm of money as the Commiſſioners ſhall appoint, not exceeding twenty five Shillings for every ſuch foot Armes.

'Tis no matter, you ſee, by this, whether any Horſe or Armes be brought in at all, ſo that the money be paid, Oh! 'Tis the money that adds Life and Legs to a decrepit and dying old cauſe: The Grandees would never take ſo much pains, unleſs an extraordinary profit alſo waited thereon; which they reſolve to compaſs, though with the extreameſt hazards, whereof there began to be ſome kind of an appearance, by the growing of heart-burnings, and multiplying fears and jealouſies be-

between their late great Champion *Lambert* and themſelves, the ſparks of which animoſities growing into a flame, quickly increaſed to that height, that not daring to truſt him any longer with the Army, they ſend a ſeeming courteous Letter to invite him home; which he, taking no notice of any thing further than the pretended outſide fair ſhew, acceps of; and on the 20th. of *September* returnes accordingly to *London*, but immediately before his arrivall there, the Juncto, to ſhew the great charity, wherewith they abounded, took into conſideration how to cozen the poor Knights of *Windſor*, and to ingroſs into their hands all Hoſpitals and their revenues, by theſe two following votes. *Viz. Tueſday September* 20th. 1659.

The Juncto grow ſuſpitious of Lambert

He comes to London.

Reſolved,

That it be referred to a Committee, to look into the revenue for maintenance of the poor Knights of Windſor, *to examine what the ſame at preſent is, and will be for the future, after Leaſes expired, and to ſee that the charitable uſes, to which the ſaid revenue was granted, be performed, and the reſidue to be anſwered, to the uſe of the Common-wealth, (by all means pray take a care of that) and to examine the Leaſes that have been made, and the fines that have been paid thereupon, and how diſpoſed, and by what authority; with power to give reliefe and allowance*

The Juncto intend to ſeize on all Hoſpitalls and convert their rents.

ance to the ſaid poor Knights, and other poor people not exceeding their former allowance (Oh, take heed of too much charity!) and alſo to take a Catalogue of all Hoſpitalls within this Common-wealth, and the revenewes of them (they are ſure to mind that.) And that the Maſters and Governours do return to this Committee, the conſtitution of the reſpective hoſpitalls, and how the profits thereof have been, and are diſpoſed of, and by what authority, before the firſt of December, *1659. And to report the whole matter to the houſe.*

Ordered,

That all Maſters and Governours of hoſpitalls, be, and are hereby prohibited to grant or renew any Leaſes of any Lands, Tenements and hereditaments belonging unto any of the ſaid reſpective hoſpitalls, untill this houſe take further Order. Notice of which is to be given to the reſpective concerned perſons, by the Councill of State.

See here how greedy is the zeal of theſe devouring Statiſts, which yet is clothed in the garbe of a ſeeming Sanctimonious care, but this hypocriſie muſt not go long un-

unpuniſhed, neither does it, for now begins to appea the reſult of *Lamberts* deſignments abroad, in a remonſtrative addreſs from the Army: at the very firſt newes, whereof the Parliament is ſo ſtartled, that, fearing to be whipped with their own rod, they ordered, Col. *Aſhfield*, Col. *Cobbet*, and Lieutenant Col. *Duckenfield*, (three of the chief promoters of it) to bring to them the original paper, intended to be preſented; upon notice of which order given, immediately, a letter was delivered into the houſe ſigned by many perſons of the Army, ſuperſcribed to the ſaid three ſummoned perſons, by whoſe hands they defired the incloſed paper might be preſented to the Lord *Fleetwood*, and after to the generall Councill, which incloſed paper was intituled, to the ſupream authority of theſe Nations, the Parliament of the Common-wealth of *England*, The humble Petition and propoſalls of the Officers under the Command of the Right Honourable the Lord *Lambert* in the late Northern expedition, the manner and method of which paper the Junćto ſo highly reſented (as ſuppoſing it to ſtrike at their very root) that they preſentely voted.

Armies remonſtrate the Junćto ſend for ſome Officers.

That this houſe doth declare, that to have any more Generall Officers in the Army, than are already ſetled by Parliament, is needleſs chargeable and dangerous to the Common-wealth.

Obſerve this crack.

Here was the firſt ſtep to that diviſion, which afterwards grew into a flame but the Army Officers finding their deſign, was not yet ripe enough, by a diſſembled ac-

acquieſcency, ſeemed to lay aſide their propoſalls, by ſignifying to the Parliament, that they would adhere to their authority in oppoſition to the common Enemy, and that they would ſtand by them in the ſettlement of the Common-wealth, againſt all diſturbances whatſoever, which lulled the Junto into a kind of ſecurity, the City alſo at this time ſeeming to claw them by an invitation to a Thankſgiving dinner, whereat the field Officers of the Army were alſo to be preſent; ſo that now being in a manner rid of their fear, they fall upon ſequeſtring the Gentry, about Sir *George Booths* buſineſs, ſettle the Exciſe, and revive the Aſſeſſements for the Militia, uſing all their skill and power for amaſſing together the wealth of the Nation into their private purſes, concluding with the *Epicureans*, *ede, lude, bibe, poſt mortem nulla voluptas*, ſo ſottiſhly ſtupid were they grown in their high flown ambition.

Thanksgiving dinner in the City.

But now, leaſt they ſhould forget their duty, the Officers of the Army preſent a new addreſs requiring anſwer thereto, which made them take it into the ſeveral pieces wherein it was propoſed, wherein among other things (to ſhew you the harmony that was then between them) they give to their third propoſall this anſwer. *Viz.*

Armies new addreſs.

Junto angry there with.

The Parliament declares, that every Member of the Army, as free Men of England, *have a right of petitioning the Parliament, but withall thinks fit to let them know, that the Petitioners ought to be very carefull, both in the manner, and in the matter of what*

they

they deſire, that the way of promoting and preſenting the ſame may be peaceable, and the things petitioned for, not tending, to the diſturbance of the Common-wealth, nor to be diſhonour of the Parliament. And that it is the duty of petitioners to ſubmit their deſires to the Parliament, and acquieſce in the judgment thereof.

By this Declaration they intended to curb the *Wallingford* party, by teaching them manners, and to know their diſtance; but they being Men of another ſpirit, and knowing they had the power of the ſword in their own hands, would not be ſo put off: which the Juncto, perceiving, and beginning to grow jealous of their own ſafety, and ſatisfyed that the Army could not ſubſiſt without money (which is the Nerve of War) to engage the People to themſelves, and to diſ-inable the Officers from raiſing any money (in caſe they ſhould (which they now much doubted) interrupt them in their ſitting) they paſſed an Act againſt raiſing of monies upon the people, without their conſent in Parliament. Part whereof take as followeth.

Act againſt raiſing money without conſent of Parliament makes the Souldiery mad.

Be it enacted, &c. That all Orders, Ordinances, and Acts, made by any ſingle perſon and his Councill, or both, or either of them, or otherwiſe, or by any aſſembly or convention pretending to have Authority of

Parliament, from and after the 19*th. Day of* April, 1653. *and before the* 7*th. of* May, 1659. *And which have not been, or ſhall not be enacted, allowed, or confirmed by this preſent Parliament be, and are hereby declared, deemed, taken and adjudged to be of no force and effect from and after the ſaid ſeventh day of* May 1659.

And be it further enacted, that no perſon or perſons, ſhall after the eleventh of October, 1659. *Aſſeſs, Levy, Collect, gather or receive any Cuſtom, Impoſt, Exciſe, Aſſeſſment, contribution, Tax, Tallage, or any ſumme or ſumms of money or other impoſition whatſoever upon the people of this Common-wealth, without their conſent in Parliament, or as by law might have been done before the third of* November, 1640. *And that every perſon offending contrary to this Act ſhall be, and is hereby adjudged to be guilty of high Treaſon, and ſhall forfeit and ſuffer as in caſe of high Treaſon.*

When the Juncto had thrown abroad this killing thunderbolt, to ſhew that they durſt own the power which they yet conceived themſelves Maſters off, they

took

took into conſideration a Letter, dated *October* the 5th. and ſigned by diverſe Officers of the Army, and directed to Col. *Okey*, and alſo a printed paper, called the humble repreſentation and Petition of the Officers of the Army to the Parliament, &c. Upon the reading of which two papers, the houſe was ſo highly inenſed and flew into ſuch a ſudden heat of paſſion, hat without any more adoe they reſolved.

9. great Officers diſplaced and voted out of commiſſion.

That the ſeverall Commiſſions of, Col. *John Lambert*, Col. *John Desborow*, Col. *James Berry*, Col. *Thomas Kelſey*, Col. *Richard Aſhfield*, Col. *Ralfe Cobbet*, Major *Richard Creed*, Col. *William Packer*, and Col. *Rob. Barrow*, were null and void, and every of them diſcharged from military imployment. And that the Army hould be governed by ſeven Commiſſioners, *Viz. L. 7. Charles Fleetwood*, *L. G. Edm. Ludlow*, Generall *George Monck*, Sir *Arthur Haſlelrig* Barronet, Col *Valentine Walton*, Col. *Harb. Morley*, and Col. *Robert Overton*, or any three or more of them, which ſaid Commiſſioners, were to give notice to the ſaid nine Officers of the diſcharge of their Commiſſions, which eing accordingly communicated, now might you ave ſeen the ſmoaking embers of diſſembled friendhip, break out into an open flame of violent enmity, his great and ſo long domineering faction, being dided in it ſelf, and each ſide prepairing for its own, oth defence, and elevation, for now a *Quorum* of the Commiſſioners which were appointed to govern the rmy, being gotten together, and ſitting all night in he Speakers chamber, which was within the Parliaent houſe, to iſſue forth orders; part of the army vith moſt of the diſcharged Principall Officers pre-

Commiſſioners to govern the Army.

The feud betwixt the rump and the Souldiery breake out.

where they poſſeſſed themſelves of the great Hall, the Palace yard, and all avenues, and paſſages leading thereunto, having before given out, that they found it abſolutely neceſſary for the good of the Nation, to break up this Parliament, for the maintaining whereof another part of the army were as active in drawing together, the ſame night alſo marching down to *Weſtminſter*, and planting themſelves in *Kingſtreet*, and in and about the *Abbey* Church and Yard: This unuſuall aſſembly at ſuch an unaccuſtomed hour cauſed generall terrour in the hearts and minds of the Inhabitants, who dreaded ſome greater miſchief than they were ſenſible of, but the night being paſt, in the morning the Speaker Mr. *W. Lenthall*, at his uſuall time came along *Kingſtreet*, and had paſſage through the ranks of Souldiers, till he came to the new Palace gate, where his Coach was ſtopped, and himſelf compelled to return home, as wiſe as he went, whereby the houſe was interrupted from ſitting; which was the chief thing that *Lambert* aimed at; yet though he had thus wrought his purpoſe, he durſt not withdraw, but make good his ſtation againſt the other faction, the greateſt part of the day, each of the Phanatick leaders (for ſo indeed they were both) expecting who ſhould give the firſt blow, of which meekneſs the then council of State taking notice, required both to draw off to their quarters, which motion was willingly accepted on all hands, and ſo both ſides marched away.

The Rump turned out of doors.

Obſerve. Thus have we ſeen that rump of pretended authority, which in *May* was, with much ſolliciting, many intreaties, and not a few ſpecious pretences, courted to come into play, now again in *October*, with as great ſcorn

ſcorn and malice laid a ſide and trampled on: *Nec lex eſt juſtior ulla, quam necis artifices arte perire ſua*, It hath been a generall Obſervation, that Treaſon i alwayes the greateſt puniſhment to it ſelf, like the Viper, it breeds young with her own deſtruction, and as the Poet ſpeaketh of envy, *ſit licet injuſtus livor*, ſo may I ſay of it, though it be unjuſt to others, yet is it very juſt, to deſtroy them firſt that would deſtroy others.

The Councill of Officers having thus ſeized the Government into their hands, played with it for certain dayes, till (with the old Philoſopher, in the queſtion about God) finding, the more they ſtudyed the leſs they underſtood, and that they were led by an *Ignis fatuus*, which only trained them to the ſight, but would never bring them to the certenty, of a ſettlement, and pondering their own many weaknesſes, and infirmities, with the exigency of affairs, they fell into conſideration of what was fit to be done: In the debate whereof, after many frivolous eſſayes, they agreed at length among themſelves to nominate ſome perſons to be a Councill of State, which device being applauded, and a new name deviſed for them (for they will be called forſooth the Committee of ſafety) theſe following perſons were pitch'd upon, *Viz. Fleetwood*, whoſe folly would have exempted, but they were affraid he would have cryed. Knowing alſo that the beſt play ever hath a fool in it. *Officers meet.* *They erect a Committee of ſafety, their names and characters.*

Lambert a ſeeming Saint, but chief Engenier of the modell.

Desborow a drunken Clown, skill'd in Harraſſing the land ſteel, once a ſneaking petty fogger, now Lord Chancellour of *Ireland*, and a Traytor.

Whitlock

Whitlock a lump of ingratitude and deceit.

Sir *Henry Vane*, chief ſecretary to the ſeven deadly ſins.

Ludlow, once a Gentleman, but ſince by himſelf Levelled into the plebeyan rank.

Sydenham, nothing good in him but his name.

Upſtart *Saloway Strickland*, once a rumper, after a Lord of *Nolls* edition, then a convert to the good old cauſe.

Berry, pedum nequiſſimus, the wickedſt villain among 10000.

Lawrence, once an upſtart privy Counceller, now ſcarce a Gentleman.

Sir *James Harrington*, *Per riſum multum poſſis cognoſcere.*—

Wareſton, a mickle knave geud faw Sir.

Ireton, and *Tichborn*, two of the City Puckfoiſts, who lye leger in the Common Council, to diſcover plots for the getting of money.

Henry Brandrith, fit for miſchief, elſe he had not been here.

Thompſon, a dull fellow, but a ſoaking Committeeman.

Hewſon, the Common-wealths upright ſetter.

Sniveling Col. *Clarke* Factious, Col. *Lilburn*, preaching, Col. *Bennet*, and *Cornelius Holland*, a moſt damnable Apoſtate, both to God and his King.

Com ſafety their power.

To theſe fellowes thus fitly accoutred, is the Government committed, and not only ſo, but they have power to call Delinquents to account, to oppoſe, and ſuppreſs all inſurrections; to treat with forreign States, and Princes, to raiſe the militia's in the ſeverall Counties. To diſpoſe of all places of truſt, with many other things,

things: by which may be ſeen, what an unlimited arbitrary power they aſſumed to themſelves over the lives and eſtates of all Engliſhmen. And that all *England* might take notice hereof, they ſend out a Declaration in print, entitled a Declaration of the General Council of the Officers of the Army, wherein they ſay they have lodged the civil and executive part of Government, in the Committee of ſafety, whom they have obliged to prepare ſuch a form of Government, as may beſt ſute with a Free-State, without a ſingle perſon, Kingſhip or houſe of Peers: with many equivocating, though Saint-like, expreſſions to the like effect, with which they hoped to delude the World, and coninnue their uſurpation, but *Sera venit ſed certa venit.* All heir hypocriticall ſhewes cannot cheat God, who raiſeth up the Spirit of one among themſelves to chaſtiſe he errours of their pride, and vain glorious attempts: or no ſooner is that Infernall crew of Atheiſts met in heir Committee, but they are alarumed with a letter rom General *Monck* out of *Scotland*, wherein he gives hem notice that both himſelf and ſome Officers of the Army in *Scotland*, were much diſſatisfied in reference to the tranſactions of affairs in *England*, at the ſame time receiving intelligence that he had, ſeized ſeverall ſtrong holds, ſecured diverſe of his diſſenting Officers, and poſſeſſed himſelf of *Barwick*, which drove them for a time into a kind of Phanatick ſtupidity, that they knew not which way to move in the management of their affairs, but at laſt willing to preſerve themſelves, they order the forces in the North into a poſture, and command *Lambert* with more Regiments out of the Southerly parts to joyn with them, that ſo they might appear formidable at leaſt at a diſtance, and

Armies declaration.

Monck diſſatisfied with their proceedings.

Seizeth Barwick.

part

put a ſtay to the violence which they foreſaw was approaching to them; for the prevention of which ſtorm Col. *Cobbet* is ſent to General *Monck* with inſinuating relations, whom the Generall immediately upon his arrivall commits to cuſtody, thereby, preſerving his Army from the dangerous contrivances that Perſon brought along with him, and depriving of the intelligence he might have carried to *England* back with him: which being done by the power of his Commiſſion (as one of the ſeven) he ſtraight new models his Army, according to his own mind, and then declares his reſolution to aſſert the authority of Parliament, againſt all violence whatſoever. Upon newes of this, our ſafe Committeemen, knowing the pulſe of the late Junto to beat after the mode of a free-ſtate, think they ſhall merit highly at the hands of the General, if they promote that, though they diſown the Parliament he pretended to declare for, and to that purpoſe having nominated ſeverall Gallant fellowes of their own number, *Viz. Fleetwood*, *Vane*, *Ludlow*, *Saloway*, *Tichburn*, *Lambert*, *Desborow*, *Hewſen*, *Holland*, and others, to conſider of, and prepare, a form of Government to be ſetled over the three Nations, in the way of a Free-State and Common-wealth, they ſend away *Whalley*, *Goffe*, *Caryl*, and *Barker*, to ſhew the ſame to General *Monck*, and thereupon to mediate with him for avoiding the effuſion of blood: the Officers at *London* writing alſo to his Officers, and expoſtulating with them, touching the neceſſity of a brotherly union, crying out of nothing but Liberty, while the Nation groan'd under their oppreſſion; But *Monck* revolving with himſelf, both the greatneſs, difficulty, and hazard, of his deſign, concludes not to be raſh in

Lambert *marcheth againſt*

Safe Committee for a free-ſtate.

a

a direct quarrel, but rather by procraſtinations to weaken the force of his enemies (which he knew could not continue long without money) and ſo to gain the victory without ſtriking a blow, therefore to amuſe them, and caſt the more ſeeming gloſs upon his action he orders Col. *Talbot*, and Dr. *Clargies* (who were the firſt meſſengers ſent to him) to ſend *Fleetwood* word that himſelf and his Officers had nominated Col. *Wilkes* L. C. *Cloberry*, and Major *Knight*, to repair ſpeedily to *London*, and treat with the like number of Officers there, for a firm unity and peace, and the better to confirm it, he ſends another Letter from himſelf to the ſame purpoſe, with promiſe that his forces ſhould advance no further. But the Committee of ſafety, willing by ſtrenth to hold what they had got, and not knowing what to think of the Generall, iſſue out many ſeverall Commiſſions to raiſe forces throughout all *England*, to anticipate him, and to ſettle Militia's to be ready in a moment, as it were to reſiſt him: which he hearing, and that *Lambert* was coming againſt him with thirteen thouſand men, he according to his before mentioned Letter, forthwith ſends his three appointed meſſengers for peace, upon whoſe arrivall at *Yorke*, in *November*, and ſpeech with *Lambert*, he became ſo farr ſatisfied of their intentions towards an Accommodation, that thereupon he gave order his forces ſhould advance no further Northward in their march.

Monck deſires a treaty.

Militia ſetled.

Things being brought now into this poſture, the Generalls three Commiſſioners arrive at *London*, *November* the 12th. where the Treaty is immediately begun: which lulled the Committee of ſafety into ſuch a ſecurity, that they begin to think of ſhareing great

The treaty begun.

Offices and places of truſt and profit among themſelves, to this end, appointing *Fleetwood*, *Desborow* *Sydenham*, *Saloway*, *Cornelius Holland*, Col. *Clark*, Co. *John Blackwell*, or any two of them to be Commiſſioners for the Treaſury, and to manage the affairs of the publick revenue, with power as large as could be deſired: (And would it not be well managed think you in the hands of ſuch bankrupts) but while theſe men mind their own wealth only, the Treaty muſt not be forgotten, which was now in hand, and on a ſudden brought to ſuch an iſſue, that it ſtartled the City, who had by Col. *Alured*, and Collonel *Markham* received Letters from *Scotland* of another purport, for at laſt the Commiſſioners on both ſides agreed on theſe heads enſuing, that is to ſay.

That the pretended Title of CHARLES STUART, *or any other claiming from that family ſhould be utterly renounced.* (O horrid Treaſon, firſt murder the Father, and then abjure the Son!)

That the Government of theſe Nations, ſhall be by a free State or Common-wealth, and not by a ſingle perſon, King, or houſe of Lords. What muſt the new ſettlement utterly aboliſh all the old fundamentall Laws of *England* at one breath? Your Precipitation bodes your ruine.

That a Godly and learned Miniſtery, ſhall be maintained and encouraged: 'Tis well the Generalls Men thought of it, for you may be aſſured it is againſt the principle of Anabaptiſts, and fifth-Monarchy Men;

That the Univerſities ſhall be reformed and countenanced, ſo, as that they may become Nurſeries of Piety, and Learning. That the Officers and Souldiers, and other perſons on either ſide be indemnified for what is paſt, touching their late difference, and that all unkindneſs betwixt them be buried in perpetuall Oblivion; pray take care of that: but it may be ſuppoſed you ſhall be the furtheſt off when you think your ſelf neereſt.

That the Officers which were made priſoners in Scotland, *be forthwith ſet at liberty*; How will the Generall like that?

That the Armies be preſently diſpoſed into quarters, and that there be a committee of nineteen whereof nine to make the Quorum, *who were to meet about qualifications, for ſucceeding Parliaments*

This was the effect of part of the agreement, which was ſent away with all ſpeed to Generall *Monck*; upon knowledge whereof, and by reaſon, the concluſions of the ſaid Treaty were ſo contrary to the Letters, by them formerly received, the City was ſtartled, having *The City ſtartle.*

as they ſuppoſed by order) been encouraged to ſtand ſtill in their liberty for their Laws, Priviledges, Properties, and lawfull Government.

But the Generall in a wiſe foreſight, and providentiall care, having caſt in his mind the danger he ſtood in (for he had a wolfe by the ears) though he ſent his Commiſſioners aforeſaid, yet reſerved to himſelf the ratification, ſo that nothing ſhould be of force untill it were confirmed with his own ſeal: But now the articles of the Treaty being come to his hands, he commands the return of his Commiſſioners, which they obeying, he preſently commits Col. *Wilks* to cuſtody for going beyond his Commiſſion) declareth the Treaty void, and marcheth toward the borders: which the Committee of ſafety being advertiſed off, fall to their old tricks to delude the people, endeavouring to make them believe it was only a rumour grounded on a fained Letter pretended to be by him ſent to the City, whereas they ſeemed to be aſſured that he would acquieſce in the former agreement, but truth who is *filia temporis*, the daughter of time, quickly appeared to undeceive the people; for in this *interim* his excellency (having as himſelf expreſſed it a call from God and Man, to march into *England*, for reſetling the Parliament) calleth an aſſembly of the Nobles and Gentry of *Scotland* at *Edenburgh*, to whom he propoſed theſe three things.

Monck commits one of his Commiſſioners

He calls an aſſembly in Scotland.

1. That they would, during his abſence, which would not be long, preſerve and ſecure the peace of that Nation.

2. That they would ſupply him with ſome men for his undertaking (which he engaged upon his honour ſhould be to their ſatisfaction) and that if any troubles ſhould

ſhould ariſe, they would aſſiſt him in the ſuppreſſing thereof.

3. That they would advance and raiſe what money they could before hand.

To theſe Propoſitions the Earl of *Glencarn*, who was chairman of that aſſembly, returned theſe modeſt anſwers.

1. That they could not engage to preſerve the peace of the Countrey in his abſence, wanting armes, and ſo in no condition to do it, but they ſhould with all faithfullneſs notwithſtanding endeavour it.

2. That they were uncapable to anſwer his deſires for the reaſons aforeſaid, neither did they think it prudent for them to engage in a war, which if it ſhould prove unſucceſsfull on their part, would be a ruine to them: or if ſucceſsfull, they did not underſtand, that it would be advantagious to them in any meaſure. But as to the third.

3. That they were content to levy moneys, and advance a years tax aforehand.

Generall *Monck* highly ſatisfied with thoſe civil returnes, endeavours to careſce and indear them by.

Giving the Lords and gentry power to arme themſelves, by ſatisfying them privately in the deſign of his expedition, and accepting of their years taxes.

Hereupon he reſolves now to dally no longer than his ſupplies of Men and money come in, in the mean while holding correſpondence and intelligence with his friends all over *England*, from whom he a new received advertiſement, that if he could yet for a litle time keep fairly at a diſtance, his work ſhould be done even without any noiſe of drum or trumpet except it were in exultation and triumph. This adviſe cauſed him,

He keeps intelligence.

him to make ſome ſeeming overtures of a ſecond treaty with *Lambert*, yet all along inſiſting upon the re-admiſſion of the Parliament, before they began it.

The Wallingford in government.

As a balk to which the Committee of ſafety declared, (hoping thereby yet to lead the Nation into further errour and miſchief) that they had tranſmitted a great part of a form of government for theſe Nations to a Committee of the Officers of the Army ('tis like to be well done if it muſt be hewen out by a dint of the ſword) to be conſidered by them, (a mad crew of *Gotamiſts*) who daily meet, and are gone through a great part of it with much ſatisfaction, (to themſelves poſſibly to think how finely they ſhould Lord it, but to no body elſe ſurely) they are very deſirous to have ſuch a Government, as may preſerve the Liberties of the Nation (this is the old cheat) and ſecure the cauſe they have contended in (which is flat treaſon and rebellion) both againſt *CHARLES STVART*, and any other that may diſturbe the peace: hoping in time to make it appear, that their Enemies are Liers when they traduce them and render them a people that ſeek only themſelves. Then they conclude, that they hope the faith of Gods people will hold out and not make haſt, and that good men will help them in their prayers, that God the Lord would bring forth righteouſneſs and truth, and diſcover, and bring to nought the ſecret contrivances of all his adverſaries: And ſo no doubt, he will to the ſhame and ruine of all ſuch diſſembling Hypocrites.

About this time being the later end of *November*, the People beginning to ſmell their knavery, drew ſeveral Petitions, with an intent to deliver them, but their crazie ſtomacks being not able to bear ſuch ſtrong Phy-

ſick, belched forth a Proclamation againſt all ſuch Petitions, which they call undue and dangerous papers, and prohibite all perſons to ſubſcribe any ſuch papers, and if offered to ſuppreſs them, or cauſe the perſon endeavouring to get ſubſcriptions to be apprehended, upon penalty of being accounted diſturbers to, and enemies of, the peace. *Proclaim againſt ſubſcriptions.*

But this not working its deſired effect, but rather making men the more eager, ſo as they began to fear tumultuous proceedings, therefore the Mayor is commanded and he accordingly ſent warrants to all City Officers to charge all Maſters of families to keep in their Sons and Servants: This enraged the youth of the City to ſuch a height, that the Committee of ſafety fearing their own danger to ariſe from ſome diſturbance there, gave order *December* the 5th. to part of the Army, both horſe and foot to march into the City, which they did early in the morning, where being entred, great multitudes of all ſorts of people gathered together in the Streets, the ſhops were ſhut up, and the Souldiers in all places affronted, which ſo madded them, that by command of their Col. *Hewſon*, they fell on the people with ſome violence, and killed two or three perſons, wherewith the multitude for the preſent diſperſed, but began to bear a grudge, whoſe revenge would not be ſatisfied but with the ruine of their oppreſſours. This was the laſt help they had to rely on, that they would rather reduce all to a *Chaos*, than quit their hold, ſnatching at every the leaſt opportunity that did but flatteringly ſeem to offer them an advantage: for by this, though unwillingly, foreſeeing their Cataſtrophe at hand they are driven into more ſad thoughts of their diſſolution, by the re- *Hewſon goes into London.*

volt

volt of *Portſmouth*, which *Haſlerig*, *Walton*, and *Morley*, with the conſent of Col. *Whetham*, the Governour had gained: now might any man gueſs their time to be ſhort by the violent extravagancy of their actions, for *nullum violentum diuturnum*; the news of which arriving to them, they ſent ſome horſe and foot either to reduce or block up that garriſon (here we ſee, now we ſee that great and divelliſh faction of Independency ſtrongly divided) but ſoft and fair, the game goes quite contrary, as will appear afterwards.

During this dealing at *Portſmouth*, the Army Officers finding that nothing would ſatisfie the People, but either to re-admit the Rump Parliament or have another, they to give them hopes of a glimmering of content. Ordered.

Parliament proclaimed by Committee of ſafety.

That a Parliament ſhall be called and appointed to ſit down in or before February *next.*

That the Parliament to be called as aforeſaid, ſhall be according to ſuch qualifications as are or ſhall be agreed upon, and may beſt ſecure the juſt rights, liberties, and priviledges of the people.

This muſt be ſolemnly proclaimed forſooth by their journey men of ſafety, together with another edict of the ſame ſtamp, commanding all honeſt and loyal ſouls out of the Cities of *London*, and *Weſtminſter*, upon pain, of impriſonment, and to be proceeded againſt as traytours, and executed: By this means, they thought

thought to walk in a miſt without any ſupervisors, but alas they were much miſtaken, for though they thus cleered themſelves, as they thought, from fear of the Common Enemy (as they termed all loyaliſts) yet they could not free themſelves of their new gotten Enemies at *Portſmouth*, by whoſe policy they were outwitted and caſheired: yet nevertheleſs ſeven principles and unalterable fundamentalls are agreed on, which were publiſhed to this effect, by theſe high and mighty *Johns* a Leyden.

1. That no Kingſhip ſhall be exerciſed in theſe Nations. Walling-ford 7. *principles of Rule*

2. That they will not have any ſingle perſon to exerciſe the office of chief Magiſtrate in theſe Nations.

3. That an Army may be continued and maintained, and be conducted, ſo as it may ſecure the peace of theſe Nations, and not be disbanded, nor the conduct thereof altered but by conſent of the conſervatours appointed.

4. That no impoſition may be upon the conſciences of them that fear God.

5. That there be no houſe of Peers.

6. That the Legiſlative and Executive power be diſtinct, and not in the ſame hands.

7. That the aſſemblies of the Parliament ſhall be elected by the people of this Common-wealth, duly qualified.

Here you ſee the ſcope of theſe *Bedlamites*, and what a fine hotch potch they would have made, but their ſport was quickly ſpoiled by a Declaration from Vice-admirall *Lawſon* giving ſeverall reaſons of a neceſſity for the long Parliament to ſit again, neither Lawſon *declares.*

would any thing elſe ſatisfie him, though Sir *Henry Vane* himſelf with his Jeſuited and poyſonous breath ſought to inſect him.

Now alſo had *Haſlerig*, *Morley*, and others ſo beſtirred themſelves, and by their policy wrought upon the Souldiers that were ſent by the *Wallingfordians* againſt them that they all came over to them, and relinquiſhed their pretended Maſters, whoſe want of money (if nothing elſe) would have made their cauſe ſeem bad enough, eſpecially ſince the rogue of all the Kingdom ran directly encounter to their deſignes, their being motions almoſt in every County, ſome for the Rump wholy, others for the joyning of the ſecluded members to them, but moſt, and they the wiſeſt, moderateſt, and not leaſt conſiderable were for a full and free Parliament, but Independency being not yet arrived at its full period, begins firſt to decline by the General advance, though in part ſeemingly upheld by admitting the Rump-Parliament again into their full power, as when they were interrupted the thirteenth of *October* before going, who accordingly, on the four and twentyeth day of *December*, were owned by all the Souldiery, both in *England* and *Ireland*, as the ſuprem authority with much ſolemnity, the Speaker *Lenthall* going immediately to take care of the *Tower* of *London*, the Government whereof he committed for the time preſent to Sir *Anthony Aſhly-Cooper*, Mr. *Weever*, and Mr. *Berners*, and on *Munday* the 26th. of *December*, in the evening by twilight began to ſit again, and were as peremptorily imperious as before, commanding *Lambert* to *London*, whoſe forces were all, either revolted away to General *Monck*, or piece-meal retired into quarters for want of pay, yet notwithſtanding

Independencies firſt declining.

Lamberts Army vaniſheth.

ing

ing all this removall of force from them, they thought not themſelves ſecure, untill he by his authority came to awe the Souldiery, and people, who were now grown tumultuous, and as ready to throw them out of the ſadle, as they had done the *Wallingford* faction.

His excellency therefore, (who could never be perſwaded out of *Scotland*, ſince he firſt went thither) now layes hold on this opportunity, to do his Country ſervice, having therefore, as is before mentioned, ſecured *Scotland*, he likewiſe deals with Sir *Charles Coot*, and others in *Ireland*, who ſtriking a perfect harmony with him, did ſurpriſe the moſt eminent Phanaticks in the midſt of their deſignes in *Dublin* Caſtle, and ſtop *Ludlow*, who was commander in chief in *Ireland*, at Sea, by this means making all *Ireland* ſure for the Parliament [for ſuch yet was the pretence] as it was in the 12th. of *October*, 1659. This wrought ſo effectually, and even to ſuch an exceſs of joy in the Parliament, that they not only approved of all Generall *Monkes* former actions, but ordered the hearty thanks of the houſe to be given to him for his fidelity, and faithfull ſervice, and a letter of thanks to be ſent to him, ſigned by Mr. Speaker, a proper reward ſurely, as if one word of their mouths were a ſufficient recompence for all labours, hazards, and travels: *Monck marches to England.*

While they are thus minding themſelves and boaſting of their own ſtrength, they receive a cooling card from ſome of the ſecluded members, who demanded to be admitted to ſit, if that Parliament were not broken, which put our muſhromes Juncto into ſuch a dump, that they were fain to paſs this following Reſolve.

Tueſday 27. December. 1650.

Note this. Reſolved

That on the fifth of January *next, this houſe will take into conſideration the caſe of all abſent Members, and alſo how to ſupply the vacant places in order to the filling up of the houſe; and that in the mean time it be referred to a Committee, to conſider of all proceedings, and all orders, and caſes touching abſent members, and make their report at the ſame time.*

But this did not prove ſatisfactory, as they expected it ſhould, for the City begins to grow diſcontent, preparing themſelves for a poſture of defence; In the Country the caſheired Officers, and the depreſſed Nobility and Gentry beſtir themſelves, courting his Excellency all along in his march, and ecchoing in his ears perpetually a free Parliament, to whom he generally gave no other anſwers, but that he would uſe his utmoſt intereſt, to perſwade them to reaſon and Juſtice, in the mean time wiſhing them to acquieſce in what they ſhould order; thus he marcheth with his whole Army, modelling to his own mind all Gariſons and forces in his way: This and his number of men that he brought with him, being far beyond allowance, (for they ordered only three hundred) put our Rumpers to a ſtand, and they could not be ſatisfied untill they

they ſend the ſubtileſt couple in the houſe, *Scot* and *Robinſon*, to ſound his intention, under pretence of congratulating his coming to *England*, and complementing him, to whom he carried himſelf with ſo much gravity and reſervedneſs, that they could not catch one dropping ſyllable that might betray him. *Scot and Robinſon are ſent to Monck.*

About this time the City by their Sword-bearer, ſend to him, to whom he returnes, that he is for the Parliament as aforeſaid, yet aſſures them that, when he came to the City, he would ſatisfie their deſires and hopes conceived of him, thus owning the authority then in being, he keeps cloſe to his commiſſion, notwithſtanding all the addreſſes of the Countries for a free Parliament, promiſing nothing more but that he would ſee all force removed from the Parliament, 2. The Houſe filled, and 3. That there ſhould be good proviſion made for future Parliaments. Thus with a ſlow and orderly march, attended by the prayers and wiſhes of the whole Nation, he comes at length to *St. Albans*. *The City Court him.* *He comes to St. Albans.*

In this interval of time, the Rumpers minding to ingroſs the whole power, both Legiſlative, and Executive into their own hands, and to ſhare all places of truſt and profit among themſelves: on the fifth of *January* paſs this following vote.

Reſolved,

Touching abſent Members, that the Parliament doth adjudge and declare, that the Members who ſtand diſcharged from voting or ſitting in the years 1648. and 1649. do ſtand duly diſcharged by judgment of Parliament. *Diſſerved thus.*

ament from ſitting as Members of this Parliament, during this Parliament; and that writs do iſſue forth for electing of new Members in their places.

Thus did they intend to have perpetuated themſelves for their lives, and to have bequeathed their villany in ſucceſſion, to ſuch as were to be new choſen, having already concluded, that the Oath of renunciation of the title of CHARLES STUART (as theſe unmannerly mungrels were pleaſed to ſtile their Soveraign) and the whole line of the late King *James* ſhould be taken by every member that hereafter ſhall ſit in Parliament, nay ſo high were they now grown, that they committed diverſe for but Petitioning for a free Parliament.

Oath of abjuration.

M. comes to London.

This made his Excellency haſt up to *London*, where his Lady and Family were come before him by Sea; into which City he comes about the beginning of *February*, and takes up his lodging at *White-Hall*, as the Parliament had appointed him (contrary to the thoughts of many) and after two or three dayes refreſhment (taking no notice of his reſentment of the aforeſaid inſolencies) he ſolemnly attends the houſe according to their order, and with much modeſty gives them an account of his undertakings, refuſing the chair offered him for his eaſe and honour, but leaning on the back of it, he delivered himſelf to this effect.

Goes to the houſe.

His ſpeech th. n.

That he deſerved not the thanks they gave him, having done no more than his duty, but wiſhed them rather to praiſe God for his mercy: then he humbly deſired them to ſatisfie the expectation of the Nation in the eſtabliſhment of their

laws

laws, liberties, properties, &c. God having reſtored them, not ſo much that they ſhould ſeek their own, as the publick, good. He deſired them in particular to take away the jealouſie, men had of their perpetuity, by determining their own ſeſſions, and providing for future Parliaments, wiſhing them to uſe the Nobility and Gentry civilly, intimating that it was their wiſdom rather to enlarge, than contract their intereſt, he told them, that the fewer qualifications they put upon ſucceeding Parliaments, the better, and deſired them to be tender in impoſing new oaths (for he had heard of the oath of abrenunciation) alledging there was more reaſon to repent of thoſe already taken, than to take new ones, ſo warning them to take heed of Cavaliers, and Phanaticks, he concluded, commending Scotland *to their care, and aſſuring them of* Ireland, *and hinting at a Free-State.*

This done, and he retired loaden with thanks, he withdrawes to his place in the Councill of State, where the firſt that he finds under conſideration is the reducing of the City, (which to make a ſhort digreſſion was now grown unruly, being ſtifly reſolved to own no power, but that of a full and Free Parliament, whereto they had been encouraged by the Country in ſeverall Declarations, but eſpecially that of *Devonſhire*, which in regard it gives the ſence of all in one, and was that chiefly ſtuck to by the City: I ſhall give it you at large, as Mr. *Bamfield*, the Recorder of *Exon*, ſent it to the Speaker, *January* the 14th.

How the P. employ him.

The

The Declaration.

We the Gentry of Devon, *finding ourſelves without a Regular Government, after your laſt interruption, deſigned a publick meeting to conſult remedies, which we could not ſo conveniently effect till this weeke at our general quarter Seſſions, at* Exon; *where we found diverſe of the Inhabitants groaning under high oppreſſions, and a general defect of trade, to the utter ruine of many, and fear of the like to others, (which is ſo viſible in the whole Country) that it occaſioned ſuch diſorders, as were no ſmall trouble and diſturbance to us, which (by Gods bleſſing upon our endeavours) were ſoon ſuppreſt without blood: And though we find, ſince our laſt purpoſes, an alteration in the State of affairs, by the re-aſſembling you at the helme of Government, yet we conceive that we are but in part redreſt of our grievances, and that the chief expedient to amend the whole, will be the recalling all thoſe Members that were ſecluded in* 1648. *And ſate before the firſt force upon the* Parliament, *and alſo by*

filling

filling up vacant places, and all to be admitted without any Oath and engagement previous to their entrance, for which things if you pleaſe to take a ſpeedy courſe, we ſhall defend you againſt all oppoſers, and future interrupters, with our Lives and fortunes: for the accompliſhment whereof we ſhall uſe all lawfull means, which we humbly conceive may beſt conduce to the peace and ſafety of this Nation.

This was ſigned by moſt of the chief gentry of the Country.

Now the City, owning the purport of this Declation by one of their own, and refuſing to pay taxes, had drawn the Councill of State to that violent ebulliency, of reducing it to a ſubmiſſion, which was, as I ſaid before, the point, upon which they fell, when firſt General *Monck*, came firſt among them; for they had rather bring the whole World into a combuſtion than their uſurped power either to equals or ſuperiours, they were ſo in love with power, that they would not have left pilling, as long as there had remained any matter either to ſatisfie their ambition or covetouſneſs; wherefore they reſolve to drive on furiouſly, and therefore give order to the Generall to march into the City, with ſo many horſe and foot, as ſhould reduce them to an obedience, and compell them to pay the Aſſeſſment. His excellency according to their com-

Mo. goes into the City and demands taxes.

mand, being then their ſervant, went to the City, and at *Guildhall* peremptorily demandeth, by order from the Parliament and Councell of State, the payment of their taxes: this ſo ſudden demand, coming from him (from whom they hoped better things) and quite contrary to their expectation, drove the Citizens to ſuch a *non-plus*, that for a time they were as extaſied not knowing what to ſay, but at laſt, recollecting ſomewhat of an Engliſh temper, they return this anſwer. *That in* Magna Charta *confirmed by the Petition of right, and renewed by the preſent Parliament, a day before their forceable diſſolution upon the* 11 *of* October, *they were to pay no taxes, &c. but by their conſent in Parliament, which now they had not:* yet to avoid giving any offence, they deſire time to conſider of it, which the Generall grants, but in the mean time writes to the houſe to know their pleaſure, to which they preſently anſwer, that 1. he ſhould impriſon Col. *Bromfield*, Alderman *Bludworth*, L. C. *Jackſon*, Major *Cox*, Col. *Vincent*, *&c.* Some of which had waited upon him from the City but a little before; 2. that he ſhould remove their chains, dig up their poſts, and break their gates.

M. his carriage in that exigent of affairs.

Theſe ſtrange orders being brought to him, did a litle ſtartle him, knowing they were ſent as well to try his patience and obedience; as to breed an open enmity between him and the City, thereby to compell him to ſerve them perpetually, by being aſſured that they were mortall enemies; yet not willing, ſince he had gone ſo farr with ſucceſs, to looſe all now by paſſion, he with ſilence obeyes them readily, and thereby cleerly finds the temper of the City to be poſitively reſolute for Liberty and right, ſo that, being ſenſible they might be truſted, he hopes ſhortly to make them amends,

mands, which he had an occaſion offered to do ſoon e than he expected, for the Parliament had a double deſi n upon him, firſt to weaken him in his intereſt and credit, by an imployment which they knew would ſo incenſe the City, and then while he is acting their unreaſonable commands, they are buſie in undermining him in his power; for when he had done their deſign as they thought, to the enraging of the Citizens, and breeding in their hearts revengefull thoughts, he returnes to *White-Hall* upon *Friday* the 10th. Day of *February*, upon which day his Commiſſion did expire, inſtead of the renewing whereof, which he might with much juſtice have expected, as the reward of his merit, he is made a Colonel again, and only made equal in command with ſix men more, as ſhort of him in deſert, as in honeſty, wherewith when he had acquainted the Officers of his Army, who were much unſatisfied with ſuch a reward for their late abominated imployment, agreed unanimouſly among themſelves, that the Parliament intended to lay them aſide, notwithſtanding their former faithfull ſervice to them, and to perpetuate the Nations ſlavery, by their dateleſneſs: and therefore they reſolved to march with their General into the City to joyn with them, and declare for a free Parliament: to this purpoſe a conference is had at the Three Tunnes near *Guild-hall*, where the City and Army ſtrike hands, at which time his Excellencies Officers remonſtrate the reſent they had of the violence they were commanded to offer that famous City, which was of a ſtamp unparalleled in the moſt horrid rage of former ages, whoſe barbarouſneſs even ſpared that, when they haraſſed the whole Nation beſide, then give warning of ſeveral perſons, both with-

Is ungeneraſl'd.

He joynes with the City.

in and without the City, whoſe tyrannous minds they feared, abhorring in an eſpeciall manner a late petition delivered in the houſe by one *Praiſe-God Barebone*, being a treaſonous libell, ſubverſive of all order and Government, dangerous to religion, both in diſcipline and worſhip, and deſtructive to all Lawes, Statutes and Cuſtomes, even in fundamentalls, wiſhing at laſt the Parliament to think of determining their Seſſion, and provide for future Parliaments.

This being, by his Officers I ſay, preſented to his Excellency, and by him in a letter communicated to the Speaker, he marcheth into *London*, and taketh quarters, declaring for a free Parliament; and this blow was it, made Independency ſtagger, for ſo highly were both City and Country pleaſed with this Declaration, that they did hardly know in what manner to expreſs their joy, ringing their bells, making bonfires, the air reſounding nothing but the name and prayſes of *Monck*, and the Streets filled with gratefull hearts, who on bended knees prayed for bleſſings on the head of the hoped reſtorer, both of the Church and Common-wealth, and in this reſolution he perſiſted, notwithſtanding all the flatteries, threatnings and ſnares of the houſe, who now ſtudied nothing more than his ruine, as in him foreſeeing their own, nevertheleſs he waits for the Parliaments anſwer to his laſt letters to them, but finding they neither minded him nor them, and thought of nothing but ſetling their own intereſt, and continuing themſelves in power, he procures a conference between ſome fitting members of the houſe, and ſome of the honourable Gentlemen and worthy Patriots that were excluded from it, at which himſelf being in perſon preſent, and weighing judiciouſly

promiſed.

diciously the reaſons and arguments formed on both ſides, which he heard with a deep and reſerved ſilence, after all were withdrawn, he concluded with himſelf, upon reſult from the whole, that the pretended ſettlement propoſed by the houſe, was of compaſs too narrow, and too weak of foundation to bear up the Nation, and repair its breaches: he reſolved therefore to withdraw all manner of force from the houſe, and to admit men of more ſober, moderate, and leſs byaſſed judgments, whoſe Spirits being more apt for publick good, would eſtabliſh the Kingdom, upon termes comprehenſive of every conſiderable intereſt therein: hereupon, on the one and twentyeth day of *February*, meeting the ſecluded members at *White-hall*, and expreſſing himſelf to them in a ſpeech not delivered by himſelf, but by his Secretary, wherein he commended to their care, *Secluded members admitted.*

1. Religion, that great *primum mobile & unum neceſſarium*, without which to live rather befits beaſts than men, and this was propoſed in the moſt ſober and moderate way imaginable, yet neither countenancing errour nor allowing libertiniſme.

2. He commended to them the State, deſiring them to be good Phyſitians to its crazed body, by applying ſuteable Phyſick, which (he ſaid) he ſuppoſed would be a full and a free Parliament, upon whoſe reſolves, as himſelf; ſo he doubted not but the whole Nation would acquieſce, he told them the houſe was open for them to enter, and prayed for their good ſucceſs.

The ſecluded members being thus admitted, fall immediately to work where they were abruptly forced to break of in *December*. 1648. Confirming their Vote made then by another now, that the conceſſions *How they begin and wherein proceed.*

of

of the late King were a ſufficient ground to proceed on
or ſetling the peace of the Kingdom, hereby not on-
vindicating themſelves, but as it were at once diſ-
nulling all that had been done as diſſonant thereto
uring the whole time of their receſs.

This began to infuſe a new ſpirit of life into the
Kingdom, in whom at this ſpringing ſeaſon of the year,
egan a new to bud and peep out the bloomes of a too
ong froſt-nipped loyalty, ſo that one now might have
een what twenty years before could never ſhew,
ountenances, that lately were dejected through the
uell tyranny of their Ægipitian task maſters, *now* ga-
ner cheerfull looks, and like freſh blown roſes yield a
ragant ſavour.

The Parliament thus ſitting, freely vote his Excellen-
y Lord Generall of all the forces in *England*, *Scot-
nd*, and *Ireland*: by vertue of which Commiſſion he
iſarmes all the Phanatick party, both in City and
Country, the Parliament in the mean time providing
o ſecure the Nation by two ſeaſonable Acts, the one
f Aſſeſſment, and the other of the Militia; the laſt in-
owering and arming Gentlemen, and Men of worth
nd power, to ſtand up for their Liberties, and Privi-
edges, and put the Country into a poſture of defence,
gainſt all encroaching pretenders whatſoever; and the
ormer enabling them to raiſe moneyes (*which are the
nerues of war*) for maintaining of the forces, ſo
iſed to aſſert their and our rights.

Thus ſetling the ancient Government of the City,
nd vacating the Phanatick power in the Country,
ey commend the eſtabliſhment of the Nation to a
ll and free Parliament, to be called the 25th. of *A-
ril*, 1660. Iſſuing out writs to that purpoſe in the
name

name of the keepers of the Liberty of *England*, by authority of Parliament, and ſetling a Councell of State of moſt diſcreet and moderate men, to whom the affairs of the three Nations, in the intervall, and until the meeting of the Parliament, on the aforeſaid 25th of *Aprill* was committed, who with much diſcretion managed their power, to the ſatisfaction of all ſober minded men, and ſo (ſaving to the houſe of Lords their rights, notwithſtanding the Commons were in this Juncture of time, put upon neceſſity to act without them) commending the Souldiery once more to his Excellency upon the ſixteenth day of *March*, in the year of our Lord 1659. (a day worthy to be remembred) they diſſolved themſelves, and ſo at laſt put a legall period to that fatall long-Parliament, which could not be diſſolved by any but by it ſelf. *Long P. legally ended.*

And thus we ſee Independency laid in the duſt, and ready to give up the ghoſt, and indeed not long after we ſhall ſee fully to expire the *Prodromi*, of whoſe miſerable end might be theſe and the like.

The Councel of State in this intervall of power, with very great caution and warineſs, manage their affairs; turning neither to the right hand nor to the left, but keeping a direct courſe, as knowing *in medio ibunt tutiſſimi*, they ſet out a Proclamation againſt all diſturbers of the peace, under what pretence or name ſoever, ſparing none that in a time of ſuch hopes durſt either move a hand or tongue to work a diſturbance, taking care alſo that the order of the laſt Parliament touching elections ſhould be duly and punctually obſerved, as conſidering that the peace or ruine of the Nation would lye in their hands. *The interval.* *Elections for a new Parl.*

His Excellency the Lord Generall in this *interregnum* accepts of ſeverall invitations and treatments in the City.

City by ſeveral of the worthy companies, yet ſtill having an eye to the main, he keeps cloſe to his Officers (who were not yet fully reſolved) and often confers with them in a more familiar manner than ordinary, whereby he ſo wrought on them, that at laſt he brought them to declare that they would acquieſce in the reſolves of the approaching Parliament; and indeed this was a ſhrewd forerunner of the fall of Independency, as I ſaid before, whoſe only hope was builded on the averſeneſs of theſe men to lawfull power, which when they ſaw fruſtrated they might well depair; yet endeavour once more to endeavour a confuſion, which being obſerved by the Councell, and that a diſcontented Spirit poſſeſſed ſome of the old Officers and Grandees, according to the power given them to that purpoſe, they ſend for all ſuſpected perſons, confining them unleſs they ſubſcribed an engagement to demean themſelves, quietly, and peaceably, under the preſent Government, and acquieſce ſubmiſſively in the determination of the Parliament next enſuing, which reaſonable engagment *Lambert* and ſome others refuſing, were carefully confined to ſeveral priſons, by which means the peace was wonderfully preſerved: but notwithſtanding all this care, ſuch were the reſtleſs endeavours of that divelliſh faction, that whether by the neglect or treachery of his keepers is not yet known) *Lambert* gets out of priſon cuningly, who being a man of looſe principles and deſperate fortunes, ſo encouraged the Phanatick party, and ſtirred up their drooping Spirits, that they began to threaten great matters, and for perfecting their wicked deſign, begin to gather to an head near *Edg-hill*, which they hoped would prove to them an auſpicious Omen for the beginning of a Second war, but Heaven would no

longer

longer wink at ſuch intollerable villanies, for the ſins of theſe *Amorites* were fully ripe for Judgment, ſo that they were diſcovered and quickly nipped in the bud, *Lambert* and his accomplices being ſo eagerly purſued by Col. *R. Ingoldsby* that they were ſuddenly forc'd to ſcatter and ſhift for themſelves by flight, neither was that ſo ſwift or ſecure, but that *Lambert* was taken priſoner by the ſaid Col. *Ingoldsby*, and ſent priſoner up to *London*; at which time paſſing by *Hide park*, on the twenty fourth of *Ayril*, he ſaw all the City Regiments both of horſe and foot, Trayned Band and Auxiliaries, compleated, armed, and trayned, and ready to hazard their Lives and Fortunes againſt all ſeditious and factious Traitors to their King and Country.

Taken and ſent to the Tower.

The news of this firſt appearance of armed loyalty being ſpred abroad into the Countreys, did ſo animate and encourage the old oppreſſed, that caſting off their fetters and fears together, they begin to appear in their wonted guiſe, and becauſe they were by the Phanaticks traduced as men of blood and full of revenge, not to be ſatisfied but with the utter ruine of their adverſaries, thereupon to undeceive the vulgar, who might poſſibly have been miſled by ſuch lies, if not anſwered, did from their ſeveral and reſpective Counties, as alſo in the Cities of *London* and *Weſtminſter* declare, that they were far from any thoughts of revenge, it belonging to God alone (alluding to that text of Scripture, *Vengeance is mine, I will repay ſaith the Lord*) but as for Juſtice they would acquieſce in the judgment of the approaching Parliament.

The firſt loyal meeting.

The Gentry declare.

This being done, and the whole Parliament at the appointed time, beginning firſt with their duty to God (they follow that golden *Pythagorean* rule.)

The Parliament begins.

Ἀθανάτους μὲν πρῶτα θεοὺς, νόμῳ ὡς διάκεινται
Τίμα· καὶ σέβου ὅρκον.) ———

giving him hearty thanks for that their freedome of meeting, which when they had cordially done, they fell in order to their Governour ——

First, They fear God, then honour the King. As the same Pythagoras goes on;

——— ἐπειθ' ἡρῶας ἀγαύους
Τοὺς τε καταχθονίους σέβε δαίμονας ἔννομα ῥέζων

The very Heathen we see, by the meer light of Nature, could dictate that which our Grand *Enthusiasts* of Religion would not for these many years, by the *ignis fatuus* of their new lighted notion walk after. But the Parliament were better principled, for after their devotions regularly paid to God, they in the very next place own their duty to their Prince, upon the first day of *May* (a happy day to be remembred to posterity) voting the Government to be by King, Lords, and Commons, a constitution so incomparably mixed, that it may rather be admired then envied: neither were they satisfied to rest there but on the Eighth day of the same *May*, caused his Majesty to be proclaimed King of *England*, *Scotland*, *France*, and *Ireland*, which was performed with so much Solemnity and Joy, as I presume *England*, I dare say hardly any Kingdome in the World, ever saw or were sensible of the like, the shouts and acclamations of the pleased people rending the very skies as a token of their extraordinary Thankfulnesse to Heaven, and at night by the multitude of their bonfires, turning the Darknesse into a kind of lightsome day.

Kingly government voted.

King proclaimed.

This hapy beginning thus owned by the general consent of all honest men, made the Parliament resolute to prosecute

cute their begun endeavours; which the more ſpeedily to do (for order befitteth men beſt both as Subjects and Chriſtians) they immediately prepared Commiſſioners, who were perſons choyce for their integrity and wiſedome, (like thoſe heads of the children of *Iſſachar* which were men that had underſtanding of the times to know what *Iſrael* ought to do) being intruſted to wait on his Majeſty, and to deſire him to come to his Parliament and People with all convenient ſpeed. Before whoſe arrival his Majeſty had withdrawn himſelf from *Bruxels*, not upon any account as was by the ignorant and malicious inſinuated, but out of a deſign of ſafe guard to his own ſacred Perſon, as knowing thoſe two principles of the *Romaniſts*, (*ſi violandum eſt jus, Regni cauſa violandum eſt*; and *nulla fides ſervanda hæreticis*) might prove dangerous, if not fatal to his intereſt as affairs then ſtood. He well remembred *Richard* the firſt his caſe firnamed *Cœur-du-Lion*, and that his detention once coſt *England*, and therefore had no reaſon to caſt himſelf into the like hazard. Therefore having diſcharged all Accounts whatſoſoever at *Bruxels*, he as (I. ſaid) removes his Court to *Breda*. As that firſt, he might hold the more certain and quick intelligence with his friends in *England*, where there hardly wanted any thing to complete his Reſtoration and the Kingdomes ſatisfaction, but his Perſonal preſence; ſo in the ſecond place he there knew himſelf ſafe, being within the juriſdiction of his beloved ſiſter, the Princeſſe Royal *Mary* Princeſſe of *Orange*, whoſe tender love and zeal to him in his affliction deſerves to be written in braſſe, and graven with the point of a Diamond.

Commiſſioners ſent to the King

King at Breda.

During the time of his reſidence there to ſhew himſelf

himſelf to be a ſecond *Solomon*, a Prince of Peace, and not onely ſo, but the moſt pious and merciful of Princes, who was wiſe as a Serpent, yet innocent as a Dove, by the Honourable the Lord Viſcount *Mordant* and Sir *Richard Grenvile* (ſince by his Majeſties ſpecial grace created Earl of *Bath*) Gentleman of his Majeſties Bedchamber; He ſent a moſt gracious Declaration, with reſpective Letters to the Lords, to the Commons, to the City, and to the Army:

Whetein,

His Majeſties Declaration layes Independency dead.

His Majeſty firſt offers a Pardon for all miſcarriages and miſdemeanors againſt his Father, or himſelf, to all perſons (ſuch onely excepted as ſhall be excepted by the Parliament,) promiſing likewiſe ſecuritie to all, whoſe guilt might otherwiſe endanger them, ſo as they laid hold on his Majeſties Pardon within 40. dayes after the publication thereof.

2. *He refers the purchaſers of Kings, Queens, and Biſhops Lands to Juſtice, to the Law, and to the Parliament.*

3. *He aſſures the Souldiery of their Arrears for paſt ſervices, although done againſt him, and of incouragement and pay for the future under him.*

This Declaration was received with no ordinary joy and ſolemnity, the meſſenger Sr. *John Greenvil* being rewarded

warded with 500. pounds to buy him a Jewell, and upon reading thereof and a conference had with the Lords, (who had now reaſſumed their Native right by taking their places in the higher Houſe) they agree unanimouſly each in their ſeveral houſe; That a Letter be ſent in anſwer to his Majeſties graeious Letter and Declaration, ſuperſcribed *To his moſt Excellent Majeſtie*; which were ſince more immediately drawn up and ſent by Commiſſioners (before prepared as is already mentioned) ſixe from each Houſe, who were in the name of both Houſes,

1. To give his Majeſty moſt humble and hearty thanks for his gracious Letter and Declaration.

2. To deſire his Majeſty to return to the exerciſe of his Regal Office, and come to his Parliament and people with all ſpeed poſſible.

And thirdly, to that purpoſe to deſire him to appoint a place for the Navy to attend him: the Commiſſioners that went from the houſe of Peeres were theſe.

The Earl of *Oxford*, Lord *Brook*,
Earl of *Warwick*, Lord *Berckley*,
Earl of *Middleſex*, Lord Viſc. *Hereford*.

Commiſſioners names that went to the King.

Of the Houſe of Commons were ſelected theſe following,

Lord *Charleton*, Sir *George Booth*,
Lord *Bruce*, Sir *John Holland*,
Lord *Falkland*, Sir *Antho. Aſhly-Cooper*,
Lord *Mandevile*, Sir *Horatio Townſend*,
Lord *Herbert*, Sir *Henry Cholmly*,
Lord *Fairefax*. Mr. *Hollis*.

The

The City of *London* having alſo received the like Letters and Declarations, the Lord Mayor, Aldermen and Common Council appoint a loyal and humble anſwer to be returned, wherein they give his Majeſty thanks for his tender care, grace and favour to their ancient and renowned City, which was ſent by theſe worthy Gentlemen.

For the City of *London.*

Alderman *Adams*	*William Bateman* Eſq.
Recorder *Wilde*	Alderman *Bludworth*
Alderman *Robinſon*	Major *Chamberlin*
Alderman *Bateman*	Colonel *Bromfield*
Theophilus Biddolph	Sir *James Bunce* Bar.
Richard Ford	Alderman *Langham*
Alderman *Vincent*	Alderman *Reinoldſon*
Alderman *Frederick*	Alderman *Brown*
Alderman *Vale*	Sir *Nicholas Criſpe*
John Lewis Eſquire	Alderman *Tompſon*

All theſe Letters were ſent away, but the firſt that arrived to his Majeſties hand was from his Excellency the Lord General *Monck*, who by the leave of the Houſe ſent the ſame by his brother in Law, Sir *Thomas Clergies*, who was (as being the firſt) beyond all expreſſion welcome, and after ſome long but not tedious conferences Knighted, and at length diſmiſſed with as much kindneſſe as he was at firſt received with joy.

Commiſſioners how received by the King.

After whom arrived ſhortly all the forenamed Commiſſioners, together with ſome of the Miniſtry, and were received by his ſacred Majeſty, his two illuſtrious brothers of *York* and *Gloceſter*, and his ſiſter of

Orange

Orange, with demonſtrations of affections on both ſides ſuch as are not capable of a deſcription by my rude pen, for they were ſuch as may be imagined onely not defined, like the joyes of a condemned ſoul now at point to dy, when ſuddenly and beyond expectation it is not onely ſnatcht out of the very jawes of death, but mounted aloft into a ſeat of Honour, how it is even overpreſſed with the overflux of ſuch a ſudden, yet joyful change, and ſtands extaſied, not knowing, or at leaſt not well diſcerning the realities of thoſe violent emotions under the happineſſe whereof it at preſent labours; which ſurpaſſing joy grown over, and they diſmiſſed with abundance of ſatisfaction, with all ſpeed his Majeſty according to the earneſt requeſt of his Parliament prepared for *England*, his Royal brother, the moſt illuſtrious Duke of *York*, Lord high Admiral, taking order for the Navy. And in the way to the Sea-ide his Majeſty was honourably entertained by the States General at the *Hague*, of whom having taken his leave, and thanked them for their Treatment and Preſents, he proceeded in his journey.

During this time, the Navy under the conduct of General *Mountague*, was come to attend and wait on his Royal pleaſure; upon notice of which, attended by the Princeſſe of *Orange* and her ſon, and the Queen of *Bohemia*, he comes aboard the *Naſeby* Frigot, by him then named the *Charles*, and after a repaſt there, parting with high ſatisfaction, pleaſure and content on both ſides, with his Royal and Princely attendants, he anched forth, and quickly with a proſperous and ſafe gale of wind, *annuente Cælo*, came within two leagues of *Dover*, (a place formerly not ſo infamous for receiving the Barons in their rebellious wars againſt the King, and

The King comes aboard for England, and lands at Dover.

Monck *meets him.*

and harbouring *Lewis* of *France*, as now it was famous for its loyalty in the joyful reception of its lawful Soveraign) when he was come thither, he ſends Poſt for the General (being reſolved not to ſet foot on *Engliſh* ground till he came thither) who upon the firſt hearing of that happy news, preſently took Poſt to meet him, having before taken care for Pallaces to entertain him, and left order for ſeveral Regiments of Horſe to attend him, for his Majeſties ſecurity; Providing with valor againſt open enemies, and with prudence againſt pretended and baſely falſe friends, which being performed according to Order, His Excellency waites upon his Majeſty at *Dover*.

He is no ſooner come thither, but upon knowledge thereof, the King Landed, at whoſe Honored feet in the moſt humble poſture of a Loyal Subject, on his Knees Our Great General preſents himſelf, and was received and imbraced by his Majeſty in the open armes of an endeared mercy, with ſo much affection as might well manifeſt the great reſpect the King bore to his high deſerts; for to ſhew that his embrace was ſignal, and far from a meer complement, he went nearer and kiſſed him. No endearment is ever thought too great, where there is grounded Love, neither reſted he there, but like a true friend and lover indeed, takes a delight in his ſociety; for the more clear demonſtration whereof to all the world, he took him with his two Brothers the Dukes of *York* and *Gloceſter* into his Coach with him to *Dover* aforeſaid, where after a dutiful acknowledgment from the Magiſtrates there, and ſolemn though ſhort entertainment he rid to the City of *Canterbury* (ſo famed for her Arch-biſhops Sea) his Majeſty being in the middle between his two

KING'S journey to London, and the manner of

two brothers; and the Duke of *Buckingham* and the General riding bare before him.

In this Equipage with the whole Gentry and Nobility of *England* attending, and thouſands of the meaner ranke; he arrived as I ſaid at *Canterbury*, being met by the Magiſtracy in their richeſt habiliments of Honour, andby the Miniſtry of the place, who after a grave Speech and hearty Gratulation, preſented him with a rich Bible as *He was Defender of the True Faith*, and afterwards with a Golden Boul full of Gold, rendring it *as a Tribute to him to whom Tribute was due.* From *Canterbury*, where he reſted all *Sunday*, and gave thanks to God his Father and mighty Deliverer. On *Munday* he came to *Cobham-Hall* in *Kent*, a Houſe belonging to the Duke of *Richmond*, but without any ſtay there paſſed on the ſame night to *Rocheſter*, from whence on *Tueſday*, *May* the 29. (the day of the week which was fatal for the murther of his Royal Father, but happy to himſelf, not onely for his Birth, but alſo for giving the firſt hopes of his long wiſhed and prayed for return by the Vote of the Parliament on *Tueſday* the 1. of *May*, and his being proclaimed *nemine contradicente* on *Tueſday* the 8. of *May*.) I ſay on that day, attended by the Duke of *Buckingham*, the Earle of *North-hampton*, the Earle of *Cleaveland*, the Earle of *Norwich*, the Earle of *Shrewesbury*, and many others with their ſeveral reſpective Troops of the choyce Nobles and Gentry of the Land, and his Excellency with many Regiments of his beſt Horſe, the Lord *Gerard* with the choyce Life-guard, and the whole Countrey flocking in, & cutting down Palmes, and ſtrowing the wayes with all ſorts of Fragrant Flowers and decking the Lanes and Paſſage, with the greateſt variety of

Country Pomps, Garlands, beſet with Rings, Ribands and the like, the Air ecchoing all along and redoubling the perpetually iterated *Hoſanna's*; He came to *London* (*The Metropolis of his Kingdome*, whoſe preparations were no leſſe ſumptuous then joyful,) making a ſhort ſtay onely at *Black-heath*; (a place many yeares ſince, and more then once noted and remembred for the tumultuous aſſemblies of ſeveral Rebels, but now much more famous for the united Congregation of the whole Kingdomes Loyalty:) from hence about noon, order was given for a ſpeedy march to *London*, in which Major General *Broun* did lead the Van with a compleat Troop of Gentlemen, all in cloth of Silver Doublets: Alderman *Robinſon* followed him with another ſelect company, the ſeverall Lords came after with their reſpective Troops, then came the Life-Guard: After the Marſhals and Heralds, with ſome antient Lords, the Duke of *Buckingham*, and the Lord Generall bareheaded; and then his Majeſty rid between his two brothers, the Duke of *York* on the right hand, and the Duke of *Gloceſter* on the other; after whom followed his Excellencies Life-guard, and then the Regiments of the Army all completely accoutred with back breaſt and Pot. In this order they came to Saint *Georges* fields, in a part of which towards *Newington* was a Tent erected, in which the Lord Mayor, and Aldermen in their moſt ſolemne Formalities, with their Officers, Servants, Livery-men, and Lackeyes innumerable waited, to which place when his Majeſty came, the Lord Mayor preſented him on his knees with all the *Inſignia* of the City, *viz. Sword, Mace, Charter*, &c. Which he immediately returned with promiſe of Confirmation, and conferred the Honour

King rides through the Citie.

nour of Knighthood on the Lord Mayor in the place, whereafter a ſhort refreſhment, three hundred in Velvet Coats and Chains repreſenting the ſeveral Companies paſſing on before, the Lord Mayor bearing the Sword before the King, they proceeded in an excellent order and equipage into and through the City, which was all hung with Tapiſtry, and the Streets lined on the one ſide with Livery men, on the other ſide with the Trained Bands, both taking and giving great ſatisfaction, until at laſt even tyred with the tedious pleaſure of his Welcome Journey, he came to the Gate of his Pallace of *Whitehall*, which ſtruck ſuch an impreſſion of greif into his ſacred heart, by the Remembrance of his Fathers horrid Murther there, as had almoſt burſt forth, if not ſtopt or recalled by the Joy he received from the acclamations of the people, and the thought that he was peaceably returned after ſo many years unto His own Houſe

The King being come in, went preſently to the Banqueting Houſe, where the Houſes of Parliament attended for him, to whom the two Speakers ſeverally made an incomparable Speech, wherein, with great eloquence, they ſet forth the many years miſery under which the Nation laboured, then repeated the Kingdomes Joyes at preſent, for their hoped happineſſe in the future by his Majeſties Reſtauration, and ſo commended to his Princely care his three Kingdomes and people, with their Laws and priviledges, whereto the King in a Majeſtick ſtyle, made this ſhort, but full return.

That he was ſo aſtonished by his Journey, and the Acclamations of the people ſtill in his Ears, which yet pleaſed him as they were demonſtrations of Affection and Loyalty, that he could not expreſs himſelf ſo full as he wiſhed, yet promiſed them, that looking firſt to Heaven with a Thank-ful heart for his Reſtoration, he would have a careful Eye of eſpecial grace and favour towards his Three Kingdomes, proteſting that he would as well be a Defendor of their Laws, liberties, & properties, as of their faith.

Having thus received and taken ſeveral Congratulations and Entertaiments, and diſmiſſed his Noble, Honourable, Worſhipful, and Reverend Guard of the Nobility, Gentry, Citizens, and Miniſtry, he retired to Supper, and afterwards having devoutly offered the Sacrifice of Prayer and Praiſe to the moſt high, for his ſafe return, he went to his Repoſe and Bed. The firſt Beam that darted from our Royal Sun, infuſed ſuch a ſenſe of piety into the peoples Affection, that it even made them break into an Exceſs of Joy, it was that happy Omen of a vertuous Government, the admirable Proclamation againſt debauchedneſſe (wherein ſuch is his Majeſties zeal) he takes no notice of his Enemies, but our ſin which had ſo long occaſioned his exile, not ſparing therein thoſe who pretended to be his friends, yet by their prophaneneſſe diſſerved him. A happy Prince and happy people

ſure

ſure! where the Extremity of Juſtice endevoureth to take nothing from the Subject but a Liberty to offend, which ſo highly pleaſed the people, that their Joyes rather increaſed then diminiſhed according to that of the Poet.

——— *Littora cum plauſu clamor, ſuperàſq; Deorum*
Implevere Domos, gaudent, generumq; ſalutant
Auxiliumque Domus ſervatoremq; fatentu

The Shores ring with applauſe, the Heavens abound
With grateful Clamours which therein reſound.
All men ſalute him, Father, Prince, and King;
That home again their baniſh'd peace doth bring

Which is further alſo expreſſed by the Poet in theſe words,

——— *Largis ſatiantur odoribus ignes*
Sertaque dependent tectis, & ubique lyraque
Tibiaque & cantus animi felicia læti
Argumenta ſonant: reſeratis aurea valvis
Atria tota patent, pulchroq; inſtructa paratu
——— *Proceres ineunt convivia Regis.*

The Bonfires light the Skie, Garlands
The Streets and Houſes: Nothing is forborn
That might expreſs full joy, while to his Court
The King by Nobles follow'd doth reſort,
And in their Feaſts Gods wondrous Acts report.

So

So reſtleſs were the Nights of our pious King, that he began to account all time ſpent in vain and amiſſe, wherein he did not do or offer ſome good to his Kingdome: to this purpoſe, on the firſt of *June*, (the very next day but one after his Arrival, accompanied with his two Brothers and Sir *Edward Hide*, Lord Chancellour of *England*, with many other honourable perſons, went by water to the Houſe of Lords, where having ſeated himſelf in his Royal ſeat, the Black Rod was ſent to the Commons to inform them of his being there: They immediately adjourned, and with their Speaker, waited his Majeſties pleaſure, who in a ſhort ſpeech acquainted them with the Occaſion and Cauſe of his preſent ſending for them, *viz.* To paſs thoſe Bills which he underſtood were prepared for him; the ſaid Bills being therefore read according to ancient form by the Clerk of the Crown, were paſſed by his Majeſty,

Firſt, The Bill conſtituting the preſent Convention to be a Parliament.

Secondly, For authorizing the Act of Parliament for 70000. *l. per menſ.* for 3 moneths.

Thirdly, For Continuance of *Eaſter* Term and all proceedings at Law, which done the Lord Chancellor *Hide* in a pithy Speech, told both Houſes with how much readineſſe his Majeſty had paſſed theſe Acts and how willing they ſhould at all times hereafter find him, to paſs any other that might tend to the advantage and benefit of the people, deſiring in his Majeſties behalf, the Bill of Oblivion to be ſpeeded, that the people might ſee and know his Majeſties extraordinary gracious care to eaſe and free them from their

their doubts and fears, and that he had not forgotten his gracious Declaration made at *Breda*, but that he would in all points make good the ſame.

Things being brought to that happy iſſue, the King wholly intends to ſettle the Kingdome, and becauſe that in the multitude of Counſellors there is both peace and ſafety, he nominates and elects to himſelf a Privy Councel, whereof were,

The Duke of *York*	Lord *Seymour*.
The Duke of *Gloceſter*.	Lord *Say*.
The Duke of *Somerſet*.	Lord *Howard*.
The Duke of *Albemarle*.	Sir *Atho. Aſhly Cooper*.
The Marquiſs of *Ormond*.	Sir *William Morris*.
The Earl of *Mancheſter*.	Mr. *Hollis*.
The Earl of *Oxford*.	Mr. *Anneſley*
The Earl of *Northampton*.	

On ſeveral ſuch men he beſtowed great offices, as Marqueſs of *Ormond* to be Lord Steward of His Honourable Houſhold. The Earl of *Mancheſter* Lord Chamberlain. The Duke of *Albemarle* to be Maſter of the Horſe, and Knight of the Garter. Sir *Will. Morris* one of the Secretaries of State: which took up ſome time, in which the Parliament according to the Kings deſire proceeded in the Act of Oblivion, which at *laſt*, after many tedious and ſtrong debates paſſed both Houſes, and on the . day of in the Twelfth year of his Majeſties Reign, had his Royal aſſent and was confirmed, wherein were excepted from pardon both as to Life and Eſtate,

John

Iohn Liſle
VVilliam Say
Sir *Hardreſſe VValler*
Valentine VVauton
Thomas Harriſon
Edward Whalley
John Hewſon
VVilliam Goffe
Cornelius Holland
Thomas Chaloner
John Carew
John Jones
Miles Corbet
Henry Smith
Gregory Clement
Thomas VVogan
William Heveningham
Iſaac Pennington
Henry Martin
Iohn Barkſtead
Gilbert Millington
Edmund Ludlow
Edmund Harvey
Thomas Scot
VVilliam Cauley
John Downes
Nicholas Love
Vincent Potter
Auguſtine Garland
John Dixwell
George Fleetwood
Simon Meyne
Sir *Michael Liveſey*
Robert Titchburn
Owen Row
Robert Lilburn
Adrian Scroop
Iohn Okey
James Temple
Peter Temple
Daniel Blagrave
Thomas VVayte
John Cooke
Andrew Broughton
Edward Dendy
VVilliam Hewlet
Hugh Peters,
Francis Hacker,
and
Daniel Axtell.

Who had ſate in judgement on, ſentenced to death and did ſign the inſtrument for the horrid murther, and taking away the precious Life of our late Soveraign Lord King *Charles* the Firſt, of Glorious memory; ſeveral of whom have by divers means in ſundry places been taken, and others have ſurrendred themſelves according

according to a Proclamation of ſummons ſet out by the King for that purpoſe, the perſons that ſurrendred themſelves were theſe.

Owen Row
Auguſtine Garland
Edmund Harvey
Henry Smith
Henry Marten
Simon Meyne
William Heveningham
Iſaac Pennington
Sir *Hardreſs Waller*
Robert Titchborn
George Fleetwood
James Temple
Thomas Wayte
Peter Temple
Robert Lilburn
Gilbert Millingon.
Vincent Potter,
Thomas Wogan,
and
John Downes,

And therefore though they be all attainted & convicted of High Treaſon by the Law of the Land at a fair and legal Trial by a ſpecial Commiſſion of *Oyer* and *Terminer* directed to ſeveral of the Judges learned in the Law, and to divers other worthy and honourable perſons, yet they are not to ſuffer the pains of death, but their executions are to be ſuſpended until his Majeſty by the advice and aſſent of the Lords and Commons in Parliament ſhall order the execution by Act of Parliament to be paſſed to that purpoſe.

The perſons that have been taken were,

Thomas Harriſon
Adrian Scroop
John Carew
John Jones
Francis Hacker
Gregory Clement
Thomas Scot
John Cooke
Hugh Peters
Daniel Axtel,
and
William Heulet.

Thomas Harriſon having received his Tryal, and being condemned to be hanged, drawn and quartered, accordingly on *Saturday* betwixt nine and ten of the clock in the morning the thirteenth of *October* 1660, he was drawn upon a hurdle from *Newgate*, to the place that is rayled in by *Charing-croſs*, where a Gibbet was erected, and he hanged with his face looking towards the Banqueting-houſe at *White-hall* (the fatal place pitched upon by thoſe infernal Regicides, for the ſolemn murther of our late Soveraign *Charles* the firſt, of glorious memory) when he was half dead, the common Hangman cut him down, cut off his privy members before his eyes, then burned his bowels, ſevered his head from his body, and divided his body into four quarters, which were ſent back upon the ſame ſledge that carried it, to the priſon of *Newgate*, from thence his head was brought and ſet on a pole at the *South* end of *Weſtminſter-hall*, looking toward the City of *London*, but his Quarters are expoſed to view, as a publick example upon ſome of the Gates of the ſame City.

His pleading at his arraignment were nothing but treaſonable and ſeditious ſpeeches, rather juſtifying the crime he had committed, then any whit relenting; and ſo he continued a deſperate Schiſmatick to the Church of *England* to the laſt moment of his breath.

2. *John Carew* was the next that followed, who at the time of his tryal, endevoured onely to juſtify the late Rump and their actings, but that would not ſerve his turn, for it was proved that he did conſult and meet together with others how to put the King to death, that he ſate at the time of the ſentence and ſigned the Warrant for execution. ſo that the

Jury

Jury found him guilty of compaſſing and imagining the Kings death; for which he was alſo condemned to be hanged, drawn, and quartered, *&c.* which ſentence on *Monday* the fifteenth of *October*, in the morning, was put in execution on the body of the ſaid *Carew*, his Quarters being likewiſe carried back on the Hurdle to *Newgate*; but ſuch was the goodneſs of his Majeſty, that upon the humble interceſſion of his friends, he was graciouſly pleaſed to give them his body to be buried, though his execrable treaſons had merited the contrary.

3,4. The next in order, were Mr. *John Coke* the Solicitor, and Mr. *Hugh Peters* that Carnal Prophet, and Jeſuitical Chaplain to the trayterous High Court; upon *Cooke*'s Trial it was proved againſt him, that he examined witneſſes againſt the King, that he was at the drawing of the Charge, that he exhibited it in the name of the Commons aſſembled in Parliament, and the good people of *England*, that this Charge was of High Treaſon, that he complained of delayes, prayed that the Charge might be taken *pro Confeſſo*, and at laſt, that it was not ſo much he as innocent blood that demanded Juſtice, and that notwithſtanding all this, he acknowledged the King to be a gracious and wiſe King, upon which the Jury found him guilty.

2. Then *Peters* was ſet to the Bar, againſt whom was proved, that he did at five ſeveral places conſult about the Kings death, at *Windſor*, at *Ware*, in *Coleman-ſtreet*, in the *Painted Chamber*, and in *Bradſhaw*'s houſe, that he compared the King to *Barrabas*, and preached to binde their Kings in chaines, *&c.* That he had been in *New England*, that he came thence to deſtroy the King and foment war, that he had been in

arms, and called the day of his Majeſties Tryal a glorious day, reſembling the judging of the world by the Saints that he prayed for it in the *Painted Chamber*, preached for it at *White-hall*, St. *James's* Chappel, St. *Sepulchres*, and other places: upon which proofes the Jury finding him guilty alſo, of compaſſing and imagining the Kings death, the Court ſentenced them, *viz.* (*Cooke* and *Peters* both) to be led back to the place from whence they came, and from thence to be drawn upon a Hurdle to the place of execution, *&c.* On *Tueſday* following, being the ſixteenth of *October*, they were drawn upon two Hurles to the rayled place near *Charing-croſs*, and executed in the ſame manner as the former, and their Quarters returned to the place whence they came: ſince which, the head of *John Cooke* is ſet on a Pole on the *North-eaſt* end of *Weſtminſter-hall* (on the left of Mr. *Harriſons*) looking towards *London*; And the head of Mr. *Peters* is placed on *London* Bridge, their Quarters alſo being expoſed upon the tops of ſome of the Gates of the City.

5. The next brought to Tryal, were *Scot* and *Clement*, *Scroope*, and *Iones*; againſt *Thomas Scot* was proved, that he did ſit and conſult about the Kings death, that he agreed to the ſentence, and ſigned the Warrant, whereby the King was murthered, that ſince he hath owned the buſineſs of the Kings death, by glorying in it, defending it, and ſaying he would have it engraven on his Tomb-ſtone, that all the world might know it, which being high aggravations of his crime, he was ſoon found Guilty by the Jury.

6. Then *Gregory Clement* was ſet to the Bar, who immediately confeſſed himſelf Guilty, *modo & forma*; and

ſo without troubling the Jury was ſet aſide till Judge ment.

7. Next was brought Mr. *John Jones* againſt whom the proofs were ſhort, that he did ſit upon the King in that monſtrous Court, and that he ſigned the Sentence and horrid Inſtrument whereby the King was ordered to be put to death, upon which the Jury found him guilty.

8. Then *Scroop* was tried upon the like Indictment for compaſſing the Kings death, and againſt him was proved that he ſate in the Court, and did Sentence the King, and ſign the bloody Warrant, and after the coming in of his Majeſty that now is, juſtified the committing of that deteſtable murther, for which the Jury finding him guilty, the Court gave ſentence of death againſt them as the former to ſuffer as Traytors, and accordingly on *Wedneſday* the 17. of *October*, about 9. of the clock in the morning. Mr. *Thomas Scot*, and Mr. *Gregory Clement* were brought on ſeveral hurdles to the Gibbet erected near *Charing-croſs*, and were there hanged, bowelled and quartered, and about an houre after Mr. *Adrian Scroop*, and Mr. *John Jones* together in one hurdle were carried to the ſame place, and ſuffered the ſame pains of death, being afterwards returned to *Newgate*, and thence their quarters placed on ſeveral of the City Gates, and their heads deſervedly diſpoſed on the top of *London* Bridge and other places.

Theſe being thus diſpatched, & having received the reward of their Treaſon, Mr. *Daniel Axtel*, and Maſter *Francis Hacker* were brought before the Court to be tried; Againſt the firſt of whom, *viz. Axtell*, was in proof that is the imagining and compaſſing the death of

of the King, that he bid his Souldiers cry out Juſtice, Juſtice, and Execution, Execution; and beat them till they did it; That he bid ſhoot the Lady that ſpoke and call'd *Cromwel* Traytor, ſaying, not a quarter of the people of *England* conſented to their wicked Charge; that he ſaid to Col. *Huncks* upon his refuſal to ſign the warrant for executing the King: *I am aſhamed of you, the Ship is now coming into Harbour, and will you ſtrike ſayle before we come to Anchor*; that he laughed at the Tranſactions, as applauding them while others ſighed; that after the King was murthered, he kept Guards upon the dead body, and knew who cut off the Kings head, having ſent one *Eliſha Axtell* for the Executioner; upon which proof the Jury found him guilty of the ſaid Treaſon whereof he ſtood indicted.

10. *Francis Hacker* was arraigned, and by diverſe witneſſes it was ſworn againſt him, that he was Commander of the Halbeteers, who kept the King priſoner, and would not ſuffer any acceſſe to be unto him; that he guarded him to their mock-Court, and after kept him ſure till he was murthered; that he was one of the perſons to whom the Warrant for execution was directed, and that he ſigned it, that he brought the King to the fatal block and was upon the ſcaffold, being a principal agent about the Kings death; for which horrid Treaſon the Jury found him guilty: after which the Court ſentenced both him and *Axtell* to ſuffer death as Traytors, according to which judgement they were on *Friday* the 19. of *October*, about 9. of the clock in the morning, drawn upon one hurdle from *Newgate* to the common place of execution, generally called *Tyburn*, and there were hanged. Mr. *Axtel* was bowelled and quartered and ſo returned back and diſpoſed as the former,

mer, but the body of Mr. *Hacker*, by his Majeſties great grace and favour, and at the humble ſuit and interceſſion of his friends was given to them entire, and by them afterwards buried.

The laſt of this crew that was for preſent execution was *Will. Hulet*, againſt whom was proved that he was one of thoſe which came with a Frock on his body, and a Vizor on his face to perpetrate the horrid murther on the Perſon of the King, and that being ſo diſguiſed upon the Scaffold, he fell down before the King and asked him forgiveneſſe, being known by his voice; that himſelf ſaid, He was the man that beheaded *K. Charles*, & for that he had one 100 l. and preferment. That *Hewſon* ſaid of him that he did the Kings buſineſs upon the Scaffold; That he either did cut it off, or took it up and ſaid, Behold the head of a Traytor. That being queſtioned about the ſaid words, he ſaid, whoſoever ſaid it matters not; I ſay now, it was the head of a Traytor, with many other things to the like purpoſe; for which moſt abhorred Treaſon, the Jury found him guilty, and he was condemned to be hang'd drawn and quarter'd at *Tyburn*.

This was the deſerved Cataſtrophe that was ſet to theſe men, who without any reaſon, nay contrary to reaſon, Lawes both Divine and Humane, yea, even in defiance of Heaven, dipped their hands in the ſacred blood of their lawful Soveraign, according to that of the Wiſeman, *The eye that mocketh his Father*, (Rex Pater Patriæ) *and deſpiſeth his Mother*, (Eccleſia eſt Mater) *the Ravens of the Valley ſhall pick it out*; which which we ſee befallen them, their heads in ſeveral places being become a ſpectacle both to Angels and Men, and a prey to the Birds of the Aire.

In

In the laſt place, it is provided by the ſaid Act of Oblivion, that if *William Lenthal*, *Will. Burton*, *Oliver St. John*, *John Ireton* Alderman, Col. *John Disborrow*, Col. *Will. Sydenham*, *John Blackwel* of *Moreclack*, *Chriſt. Pack* Alderman, *Richard Keeble*, *Charles Fleetwood*, *John Pyne*, *Rich. Dean*, Major *Richard Creed*, *Philip Nye* Clerk, *John Goodwin* Clerk, Sir *Gilbert Pickering*, Col. *Thom. Liſter*, and Col. *Raph Cobbet*, ſhall after the 1. of *September* 1660. accept or exerciſe any Office Eccleſiaſtical, Civil or Military, or any other publick imployment within the Kingdome of *England*, Dominion of *Wales*, or Town of *Barwick* upon *Tweed*, that then ſuch perſon or perſons as do ſo accept or execute as aforeſaid, ſhall to all intents and purpoſes in Law ſtand, as if he, or they had been totally excepted by name in the Act. The like penalty is impoſed on all ſuch who did give ſentence of Death upon any perſon or perſons in any of the late illegal or Tyrannical high Courts of Juſtice, or ſigned the Warrant for execution of any perſon there condemned.

Thus by the bleſsing of God I have waded through the many intricate Meanders and Revolutions, untill at laſt I have as it were brought you by the hand to ſee that deſperate Faction of Indepencency *(as one may ſay,) laid into its Grave; all the heads thereof being ſo annihilated by the Juſtice of the known Law of the Land, that I hope its memory ſhall be raked up in ſuch an Eternal forgetfulneſſe, that poſterity ſeeing no foot-ſteps thereof, ſhall conceive it to be a bare name, a meer notion, or* aliquid non ens, *of which in nature there can be no ſubſiſtance.*

An

An Appendix.

HOw far the Treaſons of faction have reached, and how high they durſt ſoare is to be ſeen before. I ſhall onely now in ſhort give a hint how highly the Law of *England* reſents ſuch impious acts: I ſay then, the wiſdome and foreſight of the Laws of this Land in all caſes of Treaſon maketh this judgement: that the Subject that riſeth or rebelleth in forcible, to overrule the royal will and power of the King, intendeth to deprive the King both of Crown and Life, and this is no myſtery or quidity of the Common Law, but an infallible concluſion drawn out of reaſon and experience; for the Crown is not a ceremony or Garland, but as Imperial conſiſteth of preheminence and power. This made former Traytors in all their quarrels againſt their Princes, not to ſtrike down-right, becauſe God unto Lawful Kings did ever impart ſuch beams of his own glory, as Rebels never durſt look ſtraight upon them, but ever turned their pretences againſt ſome about them; this cauſed the Judges ſometime to deliver their opinions for matter in Law upon two points.

The firſt, that in caſe where a ſubject attempteth to put himſelf into ſuch ſtrength as the King ſhall not be able to reſiſt him, and to force and compel the King to govern otherwiſe then according to his own royal authority and direction, it is manifeſt rebellion. 1.

The ſecond, that in every Rebellion, the Law intendeth as a conſequent, the compaſſing the death and deprivation of the King, as foregoing, that the rebel will never ſuffer that King to live or raign, which might puniſh or take revenge of his treaſon; And 2.

this is not onely the wisdome of the Laws of our own Kingdome, but it is also the censure of forraign Laws, the conclusion of common reason, (which is the ground of Law) and the demonstrative assertion of experience, which is the warranty of all reason.

1. For the first the Civil Law, that saith, Treason is nothing else, but *Crimen Læsæ vel diminutæ Majestatis*, making every offence which abridgeth or hurteth the power and authority of the Prince, as an insult or invading of the Crown, and extorting the imperial Scepter.

And for common reason and experience, they say, it is not possible that a Subject should once come to that height, as to give law to his Soveraign, but what with terror of his own guilt, and what with the insolency of the change he will never permit the King if he can chuse to recover his authority, *nay or to live*. Experience further tells us, and 'tis confirmed by all stories and examples; two notable ones we had formerly in our own Chronicles, the first of *Edw.* the 2d. who when he kept himself close for danger, was summoned by proclamation to come and take upon him the Government, but as soon as he presented himself was made prisoner, next forced to resign, and shortly after, was tragically murthered in *Berkly-Castle*. The other is of K. *Rich.* the second, before whom the Duke of *Hereford* (afterwards K. *Hen.* the 4th) presented himself with three seemingly humble, but indeed flattering reverences, yet in the end both deposed him and put him to death: but our own experience outvies all else in the Horrid murther of our late dread Soveraign, which is related in the former parts, the punishment whereof is fully related in this last part, and therefore I shall no more thereof in this place.

You may have observed that the practice of our Regicides was after they had ruined the Gentry, to advance their own kindred and allyes, though never so insufficiently unworthy, to the most profitable places of the Comonwealth; by which means all kind of exorbitances were committed without controul, the Death of the King being attended with infinite oppressions, as in such changes is usual; which made Writers say, that the Death of *Cæsar* was no benefit to the Romans, but rather brought greater Calamities on them they underwent before, as may be found in *Aspian*. The success was the like when *Nero* fell, for the next year that followed after his Death, felt more oppression, and spilt more blood then was shed in all those nine years wherein he had so tyrannically reigned. So when the *Athenians* had expelled one Tyrant, they brought in thirty; and when the *Romans* expelled their King, they did not put away the Tyranny but only change the Tyrants.

But such and so tender is the hand of heaven over us, that he hath not only restored our Kings as at the first, and all our Counsellors as at the beginning; but brought us home our King so accomplished and pious, that we must needs confesse with the Children of *Israel*, because the Lord hath a delight in us, therefore hath he made him King over us.

Oh then let us *render* without grudging *unto Cæsar the things that are Cæsars*, acknowledge him as Gods immediate Vicegerent, not prescribing him in what manner we will be ruled, nor by what means: But in all things with obedience and humility to submit to his command, like *Julian* the Apostata's Soldiers who would not sacrifice at his words, *sed timendo potestatem, contemnebant potestatem*, in fearing the power of God, they regarded not the power of man; yet when he led them against his

enemies

enemies, *Subditi errant propter Dominum Æternum, etiam Domino Temporali.*

I will conclude all with one word of Advice: Since God hath so bettered our condition, that our words are hardly able to express our happinesse, to avoyd the danger of a relapse through a too carelesse security, let circumspection & moderation take away all bitternesse, rather reflecting on the offences then the persons of any offenders, so it may be those concerned will not be so desperate to proceed on further in their wicked courses, but with speed retire, and make some recompence to injured parties, by their future provident endevours for the Common good. And for these Loyal hearts who have borne the brunt of the storm both at home and abroad, since God hath rescued them as brands out of the fire; tis hoped they will be nothing the more secure in their vigilant care of future occurrences, having alwayes a provident eye for the timely prevention of such inconveniencies, as might steal on them in their own, or be intended against them from forrain parts. That so the Throne of our *Solomon* may continue for ever, and peace be upon our *Israel.*

Πάντων θεῷ δόξα.

Sed & bene velle meretur veniam. Cicero.

THE END.

☞ *There is now in the Press ready to come forth, that so much desired Book, intituled,* An Exact History of the Life and Actions of Hugh Peters: *At also his* Diary, *Sold by* H. Brome, *and* H. Marsh, *&c.*

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